

# **EXHIBIT E**

SUBSEQUENT PAROLE CONSIDERATION HEARING  
STATE OF CALIFORNIA  
BOARD OF PAROLE HEARINGS

In the matter of the Life )  
Term Parole Consideration )  
Hearing of: ) CDC Number D-99287  
SYLVESTER STRONG )  
\_\_\_\_\_ )

CORRECTIONAL TRAINING FACILITY  
SOLEDAD, CALIFORNIA

MAY 31, 2006

4:37 P.M.

PANEL PRESENT:

PHILIP INGLEE, Presiding Commissioner  
MS. MOORE, Deputy Commissioner

OTHERS PRESENT:

SYLVESTER STRONG, Inmate  
DEJON LEWIS, Attorney for Inmate  
CORRECTIONAL OFFICER(S), Unidentified

CORRECTIONS TO THE DECISION HAVE BEEN MADE

_____	No	See Review of Hearing
_____	Yes	Transcript Memorandum

Ramona Cota

Peters Shorthand Reporting

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P R O C E E D I N G S

1  
2 DEPUTY COMMISSIONER MOORE: -- the record  
3 at 4:37.

4 INMATE STRONG: How are you doing?

5 DEPUTY COMMISSIONER MOORE: Very well.

6 PRESIDING COMMISSIONER INGLEE: This is a  
7 Subsequent Parole Consideration Hearing. It's  
8 for Sylvester Strong, S-T-R-O-N-G, D-99287.  
9 Today's date is May the 31st, 2006, the time, as  
10 previously noted is 4:37. We are located at CFT  
11 (sic) Soledad. The inmate was received on 11/2  
12 of 1988. He was committed from Fresno County.  
13 The life term began on 11/2/1988; the inmate's  
14 minimum eligible parole date was 12/10 of 1999.  
15 The controlling offense for which the inmate had  
16 been committed is set forth in case number  
17 3807500. Charged in count one, murder second  
18 degree, assault with a deadly weapon, in this  
19 case a knife, Penal Code Section 187 and  
20 245(a)(1). The terms was 18 years to life, five  
21 years, excuse me, 15 years base, 3 years added  
22 to for the use of a knife.

23 DEPUTY COMMISSIONER MOORE: Actually the  
24 three years added was for the ADW, assault with  
25 intent to do great bodily injury, I believe for  
26 the second victim. The 187 then the 245.

27 PRESIDING COMMISSIONER INGLEE: Okay.

1           DEPUTY COMMISSIONER MOORE: My read on  
2 the abstract of judgment.

3           PRESIDING COMMISSIONER INGLEE: All  
4 right. Why don't we go for just a short recess.

5           DEPUTY COMMISSIONER MOORE: Okay.

6                           (Off the record.)

7           DEPUTY COMMISSIONER MOORE: We're back on  
8 the record.

9           PRESIDING COMMISSIONER INGLEE: Okay.  
10 And the inmate received a term of 18 years to  
11 life. Fifteen years being the base and then the  
12 second charge three years. Which would be run  
13 consecutively with the original, with the three  
14 year charge going first. Now you had a  
15 question.

16          ATTORNEY LEWIS: If I could direct you to  
17 the court's judgment, not the abstract of  
18 judgment. On page five --

19          DEPUTY COMMISSIONER MOORE: What court  
20 judgment?

21          ATTORNEY LEWIS: It's in the legal  
22 documents.

23          DEPUTY COMMISSIONER MOORE: You're  
24 talking about the sentencing document?

25          ATTORNEY LEWIS: Yes.

26          DEPUTY COMMISSIONER MOORE: On page five?

27          ATTORNEY LEWIS: The (overlapping) and

1 judgment.

2 **DEPUTY COMMISSIONER MOORE:** What line?

3 **ATTORNEY LEWIS:** Page 5 lines 15 through  
4 20. And on page 22.

5 **DEPUTY COMMISSIONER MOORE:** The use of  
6 the word enhancement?

7 **ATTORNEY LEWIS:** No. My client was  
8 sentenced to -- He took a plea bargain for an 18  
9 year lid. And somehow, somewhere in the  
10 documents life got tacked on. This was not the  
11 agreement that he and the DA had. Where is the  
12 incentive for him to take a life term? He took  
13 an 18 year lid. It's mentioned in this judgment  
14 twice. An 18 year lid on page 5 lines 15  
15 through 20. And then on page 22 there's a  
16 maximum term of 18 years on line 14 right there.  
17 This is a subject that he has going on in the  
18 court but we were hoping that we could use this  
19 venue today to show that there has been a  
20 mistake made on the abstract on judgment which  
21 has just carried on year after year after year.

22 **DEPUTY COMMISSIONER MOORE:** If I may ask  
23 specifically, what is the error you believe  
24 exists on the abstract of judgment?

25 **ATTORNEY LEWIS:** Well it says 18 to life  
26 when he didn't accept that deal. He accepted an  
27 18 year lid.

1           DEPUTY COMMISSIONER MOORE: What is the  
2 difference?

3           ATTORNEY LEWIS: Eighteen to life, 18  
4 year lid, meaning that he was only to do up to  
5 18 years, not life.

6           DEPUTY COMMISSIONER MOORE: If I may,  
7 Commissioner?

8           PRESIDING COMMISSIONER INGLEE: You mean  
9 like a determinate sentence?

10          ATTORNEY LEWIS: Yes.

11          PRESIDING COMMISSIONER INGLEE: Sure, go  
12 ahead.

13          DEPUTY COMMISSIONER MOORE: If I may.

14          ATTORNEY LEWIS: I mean, if I'm lacking  
15 information please --

16          DEPUTY COMMISSIONER MOORE: You are.

17          ATTORNEY LEWIS: Okay.

18          DEPUTY COMMISSIONER MOORE: One, the  
19 appeal, it was not brought up on appeal. They  
20 reviewed it under the *Harvey* case. There were  
21 multiple victims and several different aspects  
22 of the plea bargain that were developed and  
23 ruled on and affirmed by the Appellate Court.  
24 This is an indeterminate sentence. On a murder  
25 you cannot receive determinate time. Any appeal  
26 on this matter should have taken place and had  
27 to be timely in 1987 or after. To bring it up

1 now is inappropriate. The sentence has been --  
2 For each of Mr. Strong's hearing dates it has  
3 been the same throughout. It would not be an  
4 appropriate time to bring up any concerns  
5 regarding that. The sentence was 15 years to  
6 life plus three years for the assault with  
7 intent to do great bodily injury on victim  
8 Jones. The remaining charges were dismissed,  
9 the remaining three charges and the  
10 enhancements.

11 **ATTORNEY LEWIS:** The reason I'm bringing  
12 it up, because, you know, I'm pretty learned  
13 when it comes to the English language. And if  
14 it says to me, a maximum term of 18 years, and I  
15 don't see life there or with enhancements, and  
16 this was the motivation for him taking the plea  
17 agreement in the first place, I thought that I  
18 was compelled to bring it up here today.  
19 Because this is a life hearing. He shouldn't  
20 even be doing life.

21 **DEPUTY COMMISSIONER MOORE:** On page 5  
22 lines 17 through 20 it indicates, "So it would  
23 be the court placed an 18 year lid on this in  
24 return for Mr. Strong's plea to second degree  
25 murder, which has been offered by the people."  
26 I think counsel, based on your experience and my  
27 experience and this panel's experience, the only



1 sentence existing in California at the time that  
2 this plea was entered is 15 to life for second  
3 degree murder. There were a number of  
4 enhancements that could have been added for  
5 weapons and multiple charges that could have  
6 been added and were not.

7 **PRESIDING COMMISSIONER INGLEE:** Let me,  
8 let me --

9 **ATTORNEY LEWIS:** I understand that but  
10 that's not what I read, Commissioner.

11 **PRESIDING COMMISSIONER INGLEE:** All  
12 right, let me. We're getting off, I believe --

13 **ATTORNEY LEWIS:** Absolutely.

14 **PRESIDING COMMISSIONER INGLEE:** -- into  
15 an area which has nothing to do with a parole  
16 hearing. Your client may have objections. He  
17 may even have a basis for an appeal. But this  
18 is not the forum for it.

19 **ATTORNEY LEWIS:** I understood that from  
20 the very beginning but I thought I'd bring it to  
21 your attention.

22 **PRESIDING COMMISSIONER INGLEE:** No,  
23 that's fine, that's fine, but we need to move  
24 ahead.

25 **ATTORNEY LEWIS:** Absolutely.

26 **PRESIDING COMMISSIONER INGLEE:** And we  
27 need to give this man a parole hearing and

1 that's what we intend to do.

2 **ATTORNEY LEWIS:** All right.

3 **PRESIDING COMMISSIONER INGLEE:** In my  
4 concern over wanting to be sure that I had the  
5 correct verbiage on here because of the nature  
6 of this crime and how many different aspects of  
7 the crime there is to review. I was given some  
8 direction by my Deputy Commissioner, which led  
9 us then into other fields of interest that go, I  
10 think, well beyond what we can or are expected  
11 to do at this hearing.

12 **ATTORNEY LEWIS:** I understand.

13 **PRESIDING COMMISSIONER INGLEE:** All  
14 right. So we're going to move on now. This  
15 hearing is being tape-recorded. And for the  
16 purpose of voice identification each of us will  
17 be required to state our first and last name,  
18 spelling our last name. When it comes to the  
19 inmate's turn you will spell your last name and  
20 state your CDC number. Starting with myself my  
21 name is Philip Inglee, that's I-N-G-L-E-E, I'm a  
22 Commissioner.

23 **DEPUTY COMMISSIONER MOORE:** Deputy  
24 Commissioner Moore, M-O-O-R-E, with the Board of  
25 Parole Hearings.

26 **ATTORNEY LEWIS:** DeJon Lewis, L-E-W-I-S,  
27 attorney for Mr. Strong.

1           **INMATE STRONG:** My name is Sylvester  
2 Strong. My number is D-99287.

3           **PRESIDING COMMISSIONER INGLEE:** And spell  
4 your last name, please.

5           **INMATE STRONG:** S-T-R-O-N-G.

6           **PRESIDING COMMISSIONER INGLEE:** All  
7 right, thank you. Mr. Strong, in front of you  
8 is an ADA statement. I'd like to have you read  
9 that if you would, please.

10          **INMATE STRONG:** "The Americans  
11 with Disabilities Act, ADA, is a  
12 law to help peoples with  
13 disabilities. Disabilities are  
14 problems that make it harder for  
15 some peoples to see, hear,  
16 breathe, talk, walk, learn, think,  
17 work, or take care of themselves  
18 than it is for others. Nobody can  
19 be kept out of public places or  
20 activities because of a  
21 disability. If a disability has  
22 -- If you have a disability you  
23 have the right to ask for help to  
24 get ready for your BPT Hearing,  
25 get to the hearing, talk, read  
26 forms and papers and understand  
27 the hearing process. The BPT will

1 look at what you ask for to make  
2 sure that you have a disability  
3 that is covered by the ADA and  
4 that you have asked for the right  
5 kind of help. If you do not get  
6 help or if you don't think you got  
7 the kind of help you need, ask for  
8 a BPT 1074 Grievance Form. You  
9 can also get help to fill it out."

10 **PRESIDING COMMISSIONER INGLEE:** Did you  
11 understand what you read?

12 **INMATE STRONG:** Yes sir.

13 **PRESIDING COMMISSIONER INGLEE:** Very  
14 good. This record reflects that you signed a  
15 BPT Form 1073. You signed that on 7/12 of 2005.  
16 At that time you said you did not need any help  
17 for your parole hearing. Is that still true  
18 today?

19 **INMATE STRONG:** Yes sir.

20 **PRESIDING COMMISSIONER INGLEE:** Do you  
21 have any problems walking up and down stairs or  
22 for a distance of 100 yards or more?

23 **INMATE STRONG:** No sir.

24 **PRESIDING COMMISSIONER INGLEE:** Do you  
25 need glasses or a magnifying glass in order to  
26 see or read documents?

27 **INMATE STRONG:** I use reading glasses.

1           PRESIDING COMMISSIONER INGLEE: Are they  
2 adequate for today's hearing?

3           INMATE STRONG: Yes sir.

4           PRESIDING COMMISSIONER INGLEE: Good. Do  
5 you have any hearing impairments?

6           INMATE STRONG: No.

7           PRESIDING COMMISSIONER INGLEE: Have you  
8 ever been included in the CCCMS or EOP program?

9           INMATE STRONG: No sir.

10          PRESIDING COMMISSIONER INGLEE: Are you  
11 familiar with these programs?

12          INMATE STRONG: I heard of them.

13          PRESIDING COMMISSIONER INGLEE: They are  
14 for inmates that have either emotional problems  
15 or mental illness and they will have programs  
16 specifically keyed for their benefit. Have you  
17 ever participated or been part of any program  
18 such as this?

19          INMATE STRONG: No sir.

20          PRESIDING COMMISSIONER INGLEE: Have you  
21 ever taken psychotropic medication, either in  
22 prison or on the street?

23          INMATE STRONG: No sir.

24          PRESIDING COMMISSIONER INGLEE: How far  
25 did you go in school before you arrived in  
26 prison?

27          INMATE STRONG: Twelfth grade.

1           **PRESIDING COMMISSIONER INGLEE:** Did you  
2 graduate?

3           **INMATE STRONG:** Yes sir. Washington  
4 Union High School.

5           **PRESIDING COMMISSIONER INGLEE:** Good.  
6 Have you taken, did you take any special  
7 education classes while you were growing up?

8           **INMATE STRONG:** No sir.

9           **PRESIDING COMMISSIONER INGLEE:** Do you  
10 suffer from any disability that would prevent  
11 you from participating in today's hearing?

12           **INMATE STRONG:** No sir.

13           **PRESIDING COMMISSIONER INGLEE:** All  
14 right. Counsel, do you have any comments or  
15 concerns regarding the ADA rights of your  
16 client?

17           **ATTORNEY LEWIS:** No I do not.

18           **PRESIDING COMMISSIONER INGLEE:** This  
19 hearing is being conducted pursuant to Penal  
20 Code Sections 3041, 3042 and the rules and  
21 regulations of the Board of Prison Terms  
22 governing parole consideration hearings for life  
23 inmates. The purpose of today's hearing is to  
24 consider your suitability for parole. In doing  
25 so we will consider the nature and number of the  
26 crimes you were committed for, your prior  
27 criminal and social history and your behavior

1 and programming since your commitment. We have  
2 had an opportunity to review your Central File  
3 and your prior hearing transcript. You'll be  
4 given the opportunity to correct or clarify the  
5 record. We will consider your progress since  
6 your commitment and since your last hearing.  
7 Your updated counselor's report and  
8 psychological report will also be considered.  
9 Any change in parole plans should be brought to  
10 our attention. We will reach a decision today  
11 and inform you whether or not we find you  
12 suitable for parole and the reasons for our  
13 decision. If you are found suitable for parole  
14 the length of your confinement will be explained  
15 to you. The hearing will be conducted in two  
16 phases. I will discuss with you the crime that  
17 you were committed for, your prior criminal and  
18 social history, your parole plans and any  
19 letters of support and opposition that may be in  
20 file. Deputy Commissioner Moore will discuss  
21 with you your progress since your commitment,  
22 your counselor's report and your psychological  
23 evaluation. Once that is concluded your  
24 attorney will be given an opportunity to ask you  
25 questions and also the Commissioners. The  
26 questions from -- I'll skip through that, we  
27 don't have a district attorney with us today.

1 Before we recess for deliberations your  
2 attorney, and you will be given an opportunity  
3 to make a final statement regarding your parole  
4 suitability. Your statement should be directed  
5 as to why you feel you are suitable for parole.  
6 We will then recess and clear the room for our  
7 deliberations. Once we have completed our  
8 deliberations we will resume the hearing and  
9 announce our decision. The California Code of  
10 Regulations states that regardless of time  
11 served a life inmate shall be found unsuitable  
12 for and denied parole if in the judgment of the  
13 panel the inmate would pose an unreasonable risk  
14 of danger to society if released from prison.  
15 You have certain rights. These rights include  
16 the right to a timely notice of this hearing,  
17 the right to review your Central File and the  
18 right to present relevant documents. Counsel,  
19 has your inmate's rights been met in this  
20 regard?

21 **ATTORNEY LEWIS:** Yes they have.

22 **PRESIDING COMMISSIONER INGLEE:** You also  
23 have the right to be heard by an impartial  
24 panel. Sir, do you have any objection to any  
25 member of this panel?

26 **INMATE STRONG:** No sir.

27 **PRESIDING COMMISSIONER INGLEE:** Counsel,



1 do you have any objections to any member of the  
2 panel?

3 **ATTORNEY LEWIS:** No.

4 **PRESIDING COMMISSIONER INGLEE:**

5 Mr. Strong, you will receive a copy of our  
6 written tentative decision today. That decision  
7 is subject to review by the Decision Review Unit  
8 and by the entire Board meeting as a body. It  
9 will become effective within 120 days. It is  
10 also subject to review by the Governor. A copy  
11 of the tentative decision and a copy of the  
12 transcript will be sent to you. As of May 1st,  
13 2004 there were major changes limiting your  
14 former rights to appeal Board decisions or  
15 actions directly to the Board. The old Board  
16 regulations were repealed. The current policy  
17 is entitled Administrative Appeals  
18 Correspondence and Grievances Concerning Board  
19 of Prison Terms Decisions. It is available in  
20 the prison library for your review. We are not  
21 here to -- You are not required to admit your  
22 offense or discuss your offense if you do not  
23 wish to do so. However, this panel does accept  
24 as true the finding of the court and you are  
25 invited to discuss the facts and circumstances  
26 of the offense if you so desire. The Board will  
27 review and consider any prior statements you

1 have made regarding the offense in determining  
2 your suitability for parole. Deputy  
3 Commissioner, is there any confidential material  
4 in the file, and if so, will it be used today?

5 **DEPUTY COMMISSIONER MOORE:** There is no  
6 confidential material.

7 **PRESIDING COMMISSIONER INGLEE:** All  
8 right. I have passed a hearing checklist marked  
9 Exhibit One on to your attorney so we will all  
10 be proceeding with the same set of documents.  
11 Counsel, do you have all your documents?

12 **ATTORNEY LEWIS:** I do sir.

13 **PRESIDING COMMISSIONER INGLEE:** Okay.  
14 Are there any additional documents to be  
15 submitted?

16 **ATTORNEY LEWIS:** No.

17 **PRESIDING COMMISSIONER INGLEE:** Are there  
18 any preliminary objections?

19 **ATTORNEY LEWIS:** None.

20 **PRESIDING COMMISSIONER INGLEE:** Will the  
21 inmate be speaking to the panel?

22 **ATTORNEY LEWIS:** Yes he will be.

23 **PRESIDING COMMISSIONER INGLEE:** Will he  
24 be speaking on all subjects?

25 **INMATE STRONG:** Yes I will. As you just  
26 stated -- (alarm sounding)

27 **DEPUTY COMMISSIONER MOORE:** It's a test.

1           **PRESIDING COMMISSIONER INGLEE:** All  
2 right, go ahead. I want to be sure you're going  
3 to be on the transcript.

4           **INMATE STRONG:** Okay. As you just  
5 stated, you take the court's finding to be true,  
6 as well as I do too. There's few things that --  
7 I'll talk about the case but there might be  
8 something today that I haven't said previously  
9 that I might want to say today concerning the  
10 case.

11           **PRESIDING COMMISSIONER INGLEE:** All  
12 right. That's your option, obviously, it's your  
13 right to do so. If you have any objection or  
14 any concern just let us know. With that in mind  
15 I will swear you in now, please raise your right  
16 hand. Do you solemnly swear or affirm that the  
17 testimony you give in this hearing will be the  
18 truth, the whole truth and nothing but the  
19 truth?

20           **INMATE STRONG:** Yes sir I do.

21           **PRESIDING COMMISSIONER INGLEE:** Thank  
22 you. Counsel, if there is no objection we will  
23 incorporate by reference the Statement of Fact.  
24 And that is going to come not from the Appellate  
25 Decision, because that is a very poor rendering  
26 of the Statement of Fact. I am going to use the  
27 probation officer's report pages two through

1 five.

2 ATTORNEY LEWIS: That will be fine.

3 PRESIDING COMMISSIONER INGLEE: That  
4 gives a complete rendering of the situation.

5 All right, Mr. Strong.

6 INMATE STRONG: Yes sir.

7 PRESIDING COMMISSIONER INGLEE: Tell us  
8 what happened.

9 INMATE STRONG: On December the 10th,  
10 1987 I went to my wife's house, Diana Strong,  
11 and I forced my way in. I didn't have no  
12 business being there because we was going  
13 through a divorce. In short, I ended up, she  
14 ended up getting stabbed and she lost her life  
15 by the cost of my hands.

16 PRESIDING COMMISSIONER INGLEE: Okay.  
17 You made it sound almost like a third person.  
18 But you are, you are saying you were the  
19 responsible party.

20 INMATE STRONG: Yes sir.

21 PRESIDING COMMISSIONER INGLEE: In her  
22 death.

23 INMATE STRONG: Yes sir.

24 PRESIDING COMMISSIONER INGLEE: All  
25 right. All right. How do you feel about it?

26 INMATE STRONG: I was with Diana from the  
27 time she was 19 to the time she was 30. We had

1 a good lifestyle. We had a good lifestyle. We  
2 had, I guess what you would say what the  
3 American Dream was, the house, the cars, good  
4 jobs. And somewhere along the line I guess I  
5 got too confident in myself and I started using  
6 cocaine. And that was -- That started the  
7 destruction of our family right there by me  
8 using cocaine. And everything after that just  
9 went to the waysides as far as I was concerned.  
10 I lost -- Now that I look back, I lost self-  
11 respect for myself. I just got caught up in it.

12 **PRESIDING COMMISSIONER INGLEE:** Can you  
13 tell us about the actual killing? I mean, I  
14 know that you've already said you stabbed her  
15 and she died from that action.

16 **INMATE STRONG:** Right.

17 **PRESIDING COMMISSIONER INGLEE:** But can  
18 you tell us about what actually happened that  
19 day.

20 **INMATE STRONG:** Well previously I had  
21 called her and we was talking on the phone. And  
22 we was going through a divorce and there was a  
23 property settlement. I was waiting for my  
24 property settlement from her. So when I talked  
25 to her I asked her about it. And somehow it got  
26 twisted around it was about money. But in fact  
27 I hadn't been at -- I was living with my mother

1 for two months and me and her had been talking  
2 on the phone prior to that. And that day,  
3 December the 10th of '87 she came over to my  
4 mother's house and dropped off the insurance  
5 policy. And I found that she was over there and  
6 I called her and I told her I was coming over.  
7 When I went over there I saw the gardener's  
8 truck there. And I knocked on the door and they  
9 wouldn't let me in and I kicked the door in and  
10 I went in.

11 **PRESIDING COMMISSIONER INGLEE:** Stop and  
12 hold your thought for a second. Did you have a  
13 knife with you at the time?

14 **INMATE STRONG:** That's Mr. Jones version  
15 and that's what I said I wanted to discuss  
16 today. Because I agreed to that based upon the  
17 DA telling me about the plea bargain. But in  
18 fact that knife came off the refrigerator. I  
19 never had the knife when entering the house.  
20 And I never had the courage to say it in front  
21 of the Board until today because it just keep on  
22 -- My understanding when I took the plea  
23 bargain, that I wouldn't have a life sentence.  
24 I know I pleaded guilty to second-degree murder  
25 but in return they told me they put an 18 year  
26 lid on it. And so I keep finding out after  
27 hearing after hearing, they keep telling me I

1 have 18 to life. Today I have the courage to  
2 say that that was the DA's version. I never had  
3 a chance to tell my -- I never was put on the  
4 witness stand and told my version. That was  
5 Mr. Jones' version about me coming through the  
6 door with the knife.

7 PRESIDING COMMISSIONER INGLEDY: This is  
8 the gardener?

9 INMATE STRONG: Yes sir.

10 PRESIDING COMMISSIONER INGLEDY: Let me  
11 ask you a question. You've been in prison for a  
12 long time.

13 INMATE STRONG: I know.

14 PRESIDING COMMISSIONER INGLEDY: You're  
15 heard -- These discussions have gone on from the  
16 moment you, when the case was over, when your  
17 trial was over.

18 INMATE STRONG: I never went to trial,  
19 sir.

20 ATTORNEY LEWIS: He took a plea.

21 PRESIDING COMMISSIONER INGLEDY: You took  
22 a -- I'm sorry. But there was adjudication  
23 though. I mean, you heard what you were being  
24 charged with.

25 INMATE STRONG: Yeah, but at that time I  
26 was --

27 PRESIDING COMMISSIONER INGLEDY: That's

1 what I'm referring to.

2 **INMATE STRONG:** Yeah. At that time I  
3 was, at that time I wasn't in the right state of  
4 mind. And what the counselor, my counselor,  
5 whatever he told me I went along with and I  
6 believed him. But then as I said, each time I  
7 keep coming to these hearings and I keep hearing  
8 18 to life, that wasn't the term that I pleaded  
9 to.

10 **PRESIDING COMMISSIONER INGLEE:** But you  
11 have had all these years where this has been  
12 used. Have you appealed this?

13 **INMATE STRONG:** Appealed it no, I'm  
14 telling you now.

15 **PRESIDING COMMISSIONER INGLEE:** Well this  
16 is not, we're not the appeal process.

17 **INMATE STRONG:** Right, right.

18 **PRESIDING COMMISSIONER INGLEE:** I don't  
19 mind you saying it.

20 **INMATE STRONG:** Yeah, yeah.

21 **PRESIDING COMMISSIONER INGLEE:** I  
22 sincerely don't mind you saying it. But we are  
23 not the forum to necessarily get that turned  
24 around.

25 **INMATE STRONG:** I understand that. But I  
26 haven't even had the courage to say it in here.

27 **PRESIDING COMMISSIONER INGLEE:** I don't



1 understand, the courage. You seem like a rather  
2 -- You seem like a man who would speak his mind.

3 **INMATE STRONG:** Yeah, to a degree. But I  
4 never have. I just went along with the flow.  
5 And that's the only discrepancy I have in the  
6 statement.

7 **PRESIDING COMMISSIONER INGLEE:** Well your  
8 minimum eligible parole date is 1999.

9 **INMATE STRONG:** Yes it was.

10 **PRESIDING COMMISSIONER INGLEE:** That in  
11 itself is not necessarily all end all but it at  
12 least gives you a marker. But when 1999 rolled  
13 past and things kept on going on did it not  
14 occur to you at the time that something was  
15 amiss?

16 **INMATE STRONG:** Oh yes it did. But  
17 again, I just, I didn't have the courage to say  
18 it in front of, in here or nowhere. I just  
19 didn't.

20 **PRESIDING COMMISSIONER INGLEE:** Okay, go  
21 ahead. So you came in. And what you're telling  
22 us today is that you took a knife off the  
23 refrigerator.

24 **INMATE STRONG:** Yes sir, that's where the  
25 weapon came from, the refrigerator. When I  
26 first entered the house. Like I say, when I  
27 entered the house I asked Mr. Jones, was he in

1 there, excuse me ma'am, are you in there fucking  
2 my wife?

3 PRESIDING COMMISSIONER INGLEE: Whatever  
4 you have to say here to explain what really  
5 happened.

6 INMATE STRONG: Yeah, yeah.

7 PRESIDING COMMISSIONER INGLEE: You're  
8 not going to be hurting anyone's feelings, I can  
9 assure you.

10 INMATE STRONG: Okay. And he said --

11 PRESIDING COMMISSIONER INGLEE: I can't  
12 speak for you but I'm sure that's the case.

13 INMATE STRONG: And he said, he said he  
14 wasn't so I asked him to leave. So I stood up  
15 in front of the refrigerator. As he passed me  
16 Mr. Jones struck me and I went down. When I  
17 went down and I came back up, that's when I  
18 reached up on top of the refrigerator and  
19 grabbed the knife.

20 PRESIDING COMMISSIONER INGLEE: How large  
21 a man was Mr. Jones?

22 INMATE STRONG: He was a little larger  
23 than I was, you know. And that's when the  
24 struggle started.

25 PRESIDING COMMISSIONER INGLEE: Well,  
26 you're right. I'll read through the summary of  
27 the crime, and this is a short summary. It

1 states down here:

2 "Sylvester knocked at the door.

3 Diane would not open the door

4 because she had a restraining

5 order and Sylvester wasn't

6 supposed to be on the premises.

7 Sylvester became upset and broke

8 down the front door, broke the

9 front door open. He had a knife

10 in his right hand."

11 Mr. Jones said the prisoner accused him of going  
12 with his wife and said:

13 "Bitch, I'm going to kill you.

14 Diane took off running but

15 Sylvester grabbed her with the

16 left hand and started hitting her

17 with his right hand with the knife

18 still in his hand."

19 At that point Mr. Jones started to leave. So  
20 what's written down here is basically what  
21 you're refuting at this time, is that correct?

22 **INMATE STRONG:** The only thing I'm  
23 refuting is that I came through the door with  
24 the knife.

25 **PRESIDING COMMISSIONER INGLEE:** Well it  
26 doesn't indicate down here that you possibly had  
27 to defend yourself. There's a reason why you

1 took the knife off the -- If in fact you took  
2 the knife off the refrigerator.

3 **INMATE STRONG:** Yes sir.

4 **PRESIDING COMMISSIONER INGLEE:** Did you  
5 mean to use it on Mr. Jones or did you truly  
6 mean to murder your wife?

7 **INMATE STRONG:** Mr. Jones was the  
8 culprit. The person I was after was Mr. Jones.

9 **PRESIDING COMMISSIONER INGLEE:** But you  
10 seemed to miss Mr. Jones and brutally murdered  
11 your wife. I'm not trying to make you feel any  
12 worse than you're feeling today I'm sure, but  
13 that's the point.

14 **INMATE STRONG:** But see, but see, as I  
15 just stated earlier, that was the, that was  
16 Mr. Jones' statement. I never had a chance and  
17 I never did tell nobody other than my attorney  
18 what actually happened.

19 **PRESIDING COMMISSIONER INGLEE:** Because  
20 of the plea, the plea agreement.

21 **INMATE STRONG:** Yes sir. And that was  
22 part of the plea bargain agreement from the DA,  
23 to tell his version and I agree to it. But I  
24 never told nobody my version of how it happened.  
25 other than my attorney.

26 **PRESIDING COMMISSIONER INGLEE:** Well you  
27 have mentioned the fact in your previous version

1 down here. You tell it.

2 INMATE STRONG: But it's --

3 PRESIDING COMMISSIONER INGLEE: In the  
4 prisoner's version, and I'm only reading a  
5 portion of it.

6 DEPUTY COMMISSIONER MOORE: On the Board  
7 Report.

8 PRESIDING COMMISSIONER INGLEE: This is  
9 on page two.

10 DEPUTY COMMISSIONER MOORE: I think he  
11 was asking which Board Report.

12 PRESIDING COMMISSIONER INGLEE: I'm  
13 sorry?

14 DEPUTY COMMISSIONER MOORE: I think  
15 Mr. Strong was inquiring as to which document  
16 you're referring to, the Board Report.

17 PRESIDING COMMISSIONER INGLEE: This is  
18 the October, no more than that. It's the only  
19 other full Board Report I have right now that  
20 has the complete, has a complete history in  
21 here. And that is the report of, the Board  
22 Report of 2004.

23 DEPUTY COMMISSIONER MOORE: October 2004?

24 PRESIDING COMMISSIONER INGLEE: Which  
25 goes back a couple of years. You say in this  
26 regard:

27 "Sylvester says he went to his

1           wife's home in hopes of talking to  
2           her about reconciliation. He did  
3           not have a knife when he got  
4           there."

5       So you apparently have already told somebody  
6       this.

7           "When he broke the door down he  
8           saw Mr. Jones and said, are you  
9           fucking my wife? Strong then told  
10          Jones to leave. As Mr. Jones was  
11          leaving he hit strong and knocked  
12          him down. Strong got up and took  
13          the knife from above the  
14          refrigerator. Jones and Strong  
15          were struggling in the entryway at  
16          the time Diana ran up and was  
17          stabbed in the neck. Mr. Jones  
18          ran to his truck and left. Strong  
19          got a pillow for her head, opened  
20          her blouse to check her wound and  
21          called 911."

22       That's essentially what you're saying you have  
23       not said to anybody but here it is in writing.

24               **INMATE STRONG:** Well, like I said, it had  
25       been a number of years.

26               **PRESIDING COMMISSIONER INGLEE:** Well it  
27       was two years ago that you apparently -- Two

1 years, possibly a little longer than that. But  
2 in that time period you apparently told your  
3 counselor that because it's here.

4 **INMATE STRONG:** But I never told the  
5 Board that.

6 **PRESIDING COMMISSIONER INGLEE:** Well you  
7 meant to in 2004, apparently, because this is,  
8 this is the document that the last hearing group  
9 would have looked at. The reason why I'm  
10 reading it is because they haven't brought all  
11 the facts forward into the new, into the updated  
12 Board Report, which is the November 2005. What  
13 they're saying under the summary of the crime is  
14 it remains the same as stated in the previous  
15 hearing. So I have to go back and refer to a  
16 previous hearing in this regard. And that's the  
17 last previous hearing. And in fact, as I said  
18 -- So anyway, I don't carry this beyond what we  
19 need to. But it seems to me you have already  
20 told people of this in the past. All right.  
21 Okay, well we have two stories. We have the  
22 story that came out of your plea bargain and  
23 then we have a subsequent story that you  
24 apparently had told at least two years ago and  
25 again today. Counsel, is there anything you  
26 want to say about this?

27 **INMATE STRONG:** No.

1           **PRESIDING COMMISSIONER INGLEE:** All  
2 right. Anything else about the actual murder?  
3 How many times was your wife stabbed?

4           **INMATE STRONG:** My understanding, once.  
5 But what do they call it --

6           **ATTORNEY LEWIS:** The autopsy?

7           **INMATE STRONG:** The autopsy indicated  
8 more.

9           **PRESIDING COMMISSIONER INGLEE:** I was  
10 going to say, it's quite a bit. Okay, I'll just  
11 read the -- I didn't have it tabbed but I just  
12 found it.

13           "The Fresno County coroner's post-  
14 mortem record indicates that  
15 victim Diana Strong suffered a  
16 stab wound from the back through  
17 to the palm of her left hand. The  
18 victim's left thumb had a quarter-  
19 inch deep incision wound. A stab  
20 wound was located one inch to the  
21 right midline of the neck. The  
22 stab wound extended through the  
23 right arterial jugular vein and  
24 cut the --"

25 I'll have to spell it.

26           "-- A-Z-Y-G-O-U-S vein. The  
27 direction of the wound is from the



1 upper rear to a 30 degree downward  
2 angle. The stab wound was  
3 estimated to be two and a half  
4 inches. Victim Diana strong was  
5 pronounced dead at Valley Hospital  
6 by Dr. Michael Solomon. The cause  
7 of death is recorded as himeric  
8 (phonetic) shock due to a stab  
9 wound of the neck and chest."

10 Okay, anything else sir? I know these are not  
11 easy things to talk about, I understand. Okay,  
12 let's take a look at your prior criminal record.

13 **DEPUTY COMMISSIONER MOORE:** I have some  
14 questions about the offense.

15 **PRESIDING COMMISSIONER INGLEE:**  
16 Certainly. Let's go to the Deputy Commissioner  
17 and she has some questions for you.

18 **DEPUTY COMMISSIONER MOORE:** Were you  
19 under the influence of cocaine on December 10th?

20 **INMATE STRONG:** Yes ma'am I was.

21 **DEPUTY COMMISSIONER MOORE:** When had you  
22 used it?

23 **INMATE STRONG:** When?

24 **DEPUTY COMMISSIONER MOORE:** Uh-hmm.

25 **INMATE STRONG:** During that course of  
26 that day.

27 **DEPUTY COMMISSIONER MOORE:** What time of

1 day did the stabbing and murder occur?

2 INMATE STRONG: I believe around 6:30.

3 DEPUTY COMMISSIONER MOORE: Were you  
4 smoking it, snorting it or shooting it?

5 INMATE STRONG: I was, I was smoking it.

6 DEPUTY COMMISSIONER MOORE: Rock or  
7 powder?

8 INMATE STRONG: Rock.

9 DEPUTY COMMISSIONER MOORE: And how long  
10 had you been using cocaine prior to this event?

11 INMATE STRONG: About ten months.

12 DEPUTY COMMISSIONER MOORE: And there  
13 were a number of other incidents in the month  
14 prior to the murder, isn't that correct?

15 INMATE STRONG: Yes ma'am it is.

16 DEPUTY COMMISSIONER MOORE: Violent,  
17 involving violence?

18 INMATE STRONG: Yes ma'am.

19 DEPUTY COMMISSIONER MOORE: Was anyone on  
20 your case, you know, about the cocaine prior to  
21 the day of the murder?

22 INMATE STRONG: Anyone like who, ma'am?

23 DEPUTY COMMISSIONER MOORE: Anyone.

24 INMATE STRONG: Yes, I had -- You know, I  
25 look back. I had peoples telling me that I need  
26 to put myself in check and I didn't hear them.

27 DEPUTY COMMISSIONER MOORE: Were you

1 still employed by the City of Fresno when this  
2 happened on December 10th?

3 INMATE STRONG: No, I had -- No I wasn't.

4 DEPUTY COMMISSIONER MOORE: How come you  
5 weren't still employed?

6 INMATE STRONG: I wasn't able to function  
7 in my duties at work.

8 DEPUTY COMMISSIONER MOORE: Were you  
9 fired?

10 INMATE STRONG: No, I just left.

11 DEPUTY COMMISSIONER MOORE: When did you  
12 quit work, about?

13 INMATE STRONG: I can tell you. I left  
14 October the 15th, 1987.

15 DEPUTY COMMISSIONER MOORE: And then  
16 what, after six or seven years as a city  
17 employee?

18 INMATE STRONG: Eight.

19 DEPUTY COMMISSIONER MOORE: Eight years.  
20 So when you arrived at the house, your wife's  
21 house, there was a restraining order in place?

22 INMATE STRONG: Yes ma'am.

23 DEPUTY COMMISSIONER MOORE: And how long  
24 had that restraining order been in place?

25 INMATE STRONG: Probably within maybe  
26 three months.

27 DEPUTY COMMISSIONER MOORE: About the

1 same time you quit work.

2 INMATE STRONG: Yes ma'am.

3 DEPUTY COMMISSIONER MOORE: Things were  
4 escalating quickly.

5 INMATE STRONG: Yes.

6 DEPUTY COMMISSIONER MOORE: And the  
7 restraining order told you to not do what?

8 INMATE STRONG: I wasn't allowed to be on  
9 the premises.

10 DEPUTY COMMISSIONER MOORE: What else?  
11 And contact?

12 INMATE STRONG: That's being on the  
13 premises.

14 DEPUTY COMMISSIONER MOORE: How about  
15 telephonic contact? Were you allowed --

16 INMATE STRONG: No, they didn't. To my  
17 understanding, I can't quite say but we talked  
18 on the phone, you know.

19 DEPUTY COMMISSIONER MOORE: What is it  
20 you were so angry about that you kicked the door  
21 in?

22 INMATE STRONG: Because there was another  
23 man inside the welding (sic) that I once lived  
24 in and she wouldn't open the door and let me in.

25 DEPUTY COMMISSIONER MOORE: And why  
26 wouldn't she open the door?

27 INMATE STRONG: Because I had a

1 restraining order, I wasn't supposed to be  
2 there.

3

4 **DEPUTY COMMISSIONER MOORE:** And how many  
5 times had you laid hands on her before?

6 **INMATE STRONG:** Whatever the record said.  
7 It was at least three or four different  
8 incidents that I had spousal abuse on Diana  
9 Strong.

10 **DEPUTY COMMISSIONER MOORE:** Did your  
11 daughter Monique (phonetic) --

12 **INMATE STRONG:** My son. No, Monique --

13 **DEPUTY COMMISSIONER MOORE:** Did your  
14 daughter Monique live with you and Mrs. Strong?

15 **INMATE STRONG:** No, Monique no. She  
16 didn't live with me. The only one that was  
17 living there was Sylvester Junior.

18 **DEPUTY COMMISSIONER MOORE:** Monique is  
19 younger than Sylvester?

20 **INMATE STRONG:** She's older.

21 **DEPUTY COMMISSIONER MOORE:** Older.

22 **INMATE STRONG:** They made a mistake on  
23 that.

24 **DEPUTY COMMISSIONER MOORE:** Okay. And  
25 when you broke through the door was Sylvester at  
26 home?

27 **INMATE STRONG:** No he wasn't.

1           DEPUTY COMMISSIONER MOORE: Does he go by  
2 Junior?

3           INMATE STRONG: Yes.

4           DEPUTY COMMISSIONER MOORE: Where was he?

5           INMATE STRONG: With his aunt Sarah.

6           DEPUTY COMMISSIONER MOORE: How angry --  
7 Describe to us how angry you were when you  
8 busted through the door.

9           INMATE STRONG: I was really pissed off  
10 to the fact that she wouldn't open the door and  
11 there was another man in there. And we had been  
12 talking on the phone for like two months, you  
13 know.

14          DEPUTY COMMISSIONER MOORE: What did that  
15 mean to you?

16          INMATE STRONG: I was under -- When I was  
17 under the influence, you know. Under the  
18 influence all kinds of crazy things. I'm  
19 thinking they might be in there engaging into  
20 some sexual act. You know, everything that's  
21 unimaginable was coming through once she, once  
22 they wouldn't open the door, the door wasn't  
23 opened.

24          DEPUTY COMMISSIONER MOORE: Did you think  
25 you still had control or rights to control her?

26          INMATE STRONG: I didn't have no rights.  
27 I didn't even have the right to be there.

1           DEPUTY COMMISSIONER MOORE: Today you say  
2 that. I'm talking about December 10, 1987.

3           INMATE STRONG: I didn't know it, no. I  
4 didn't know what I was thinking at that time.

5           DEPUTY COMMISSIONER MOORE: On the other  
6 dates that you assaulted your wife were you  
7 under the influence of cocaine?

8           INMATE STRONG: Yes ma'am.

9           DEPUTY COMMISSIONER MOORE: And today you  
10 indicate that you did not go into the house with  
11 the knife. In October of '04 when you spoke to  
12 CC-I correctional counselor Hilliard (phonetic).  
13 Does that name sound familiar to you?

14          INMATE STRONG: Yes.

15          DEPUTY COMMISSIONER MOORE: CC-I Hilliard  
16 wrote down your statement that you did not come  
17 in with a knife. That you went and got it over  
18 the refrigerator.

19          INMATE STRONG: Yes ma'am.

20          DEPUTY COMMISSIONER MOORE: How did you  
21 -- Were there knives stored on top of the  
22 refrigerator?

23          INMATE STRONG: We had a chop -- On top  
24 of the refrigerator we had a chopping block.  
25 And it was right over the top of the freezer and  
26 it just sat up there. Once I was struck -- I  
27 know it was there and I just stood up and

1 reached up. Unfortunately I grabbed the longest  
2 one in the block.

3 PRESIDING COMMISSIONER INGLEE: These are  
4 knives that are in a wooden --

5 INMATE STRONG: Yes sir.

6 PRESIDING COMMISSIONER INGLEE: I  
7 understand.

8 DEPUTY COMMISSIONER MOORE: So how is it  
9 that Mr. Jones struck you? Where is it? What  
10 did he do?

11 INMATE STRONG: When I -- I was standing  
12 by the refrigerator and I asked him to leave.  
13 And as he was leaving --

14 DEPUTY COMMISSIONER MOORE: Did you ask  
15 him to leave?

16 INMATE STRONG: Yeah, I told him to get  
17 the fuck out.

18 DEPUTY COMMISSIONER MOORE: That's not  
19 asking.

20 INMATE STRONG: Well.

21 DEPUTY COMMISSIONER MOORE: That's  
22 telling.

23 INMATE STRONG: Well, yes.

24 DEPUTY COMMISSIONER MOORE: Okay.

25 PRESIDING COMMISSIONER INGLEE: It  
26 wouldn't cause any confusion with me if you had  
27 done that.



1           ATTORNEY LEWIS: Clear as a bell.

2           DEPUTY COMMISSIONER MOORE: So you told  
3 him to get out.

4           INMATE STRONG: Yes ma'am.

5           DEPUTY COMMISSIONER MOORE: And what  
6 happened?

7           INMATE STRONG: He walked by me. As he  
8 walked by he and he turned back he struck me.

9           DEPUTY COMMISSIONER MOORE: Tell me what  
10 that means. Did he tap you on the shoulder,  
11 forehead, what?

12          INMATE STRONG: No, he hit me in my face.

13          DEPUTY COMMISSIONER MOORE: With what?

14          INMATE STRONG: With his face.

15          DEPUTY COMMISSIONER MOORE: And what  
16 happened to you?

17          INMATE STRONG: I went down.

18          DEPUTY COMMISSIONER MOORE: To the  
19 ground?

20          INMATE STRONG: In the kitchen, in the  
21 kitchen. We was in the kitchen area in front of  
22 the refrigerator, I went down. When I went down  
23 I stood back up. When I stood back up I just  
24 reached straight up and grabbed the knife.

25          DEPUTY COMMISSIONER MOORE: And where was  
26 Mr. Jones when you reached for the knife?

27          INMATE STRONG: Headed for the front

1 door.

2 DEPUTY COMMISSIONER MOORE: Running away?

3 INMATE STRONG: He wasn't running, he was  
4 leaving.

5 DEPUTY COMMISSIONER MOORE: So he was  
6 exiting the building.

7 INMATE STRONG: No, he was -- He hadn't  
8 even left. He hadn't even reached the front  
9 door.

10 DEPUTY COMMISSIONER MOORE: Walking  
11 towards the front door.

12 INMATE STRONG: Right.

13 DEPUTY COMMISSIONER MOORE: Away from  
14 you.

15 INMATE STRONG: We were still in the  
16 kitchen area.

17 DEPUTY COMMISSIONER MOORE: But he was  
18 walking in the direction away from you, is that  
19 right?

20 INMATE STRONG: He wasn't standing over  
21 me, if that's what you're asking me.

22 ATTORNEY LEWIS: Just answer the question  
23 specifically.

24 INMATE STRONG: Yes, he was walking away.

25 DEPUTY COMMISSIONER MOORE: So you got  
26 the knife off the top of the fridge.

27 INMATE STRONG: Right.

1           DEPUTY COMMISSIONER MOORE: And what did  
2 you do with the knife?

3           INMATE STRONG: I came after him.

4           DEPUTY COMMISSIONER MOORE: And where was  
5 he when you were going, when you started out  
6 after him?

7           INMATE STRONG: He had reached the  
8 hallway by then.

9           DEPUTY COMMISSIONER MOORE: Okay. And  
10 then what did you do?

11          INMATE STRONG: I tried to stab him and  
12 he grabbed me. He grabbed my hand and we  
13 started struggling over the knife in the  
14 hallway.

15          DEPUTY COMMISSIONER MOORE: So did he  
16 have both of his hands on your arm?

17          INMATE STRONG: Yes, like this and we was  
18 going back and forth.

19          DEPUTY COMMISSIONER MOORE: And where was  
20 Diana?

21          INMATE STRONG: She came, she was in the  
22 hallway and she just came up while we were  
23 struggling in the hallway like this. I don't  
24 know what made her -- I don't even know what  
25 made her come up that close.

26          DEPUTY COMMISSIONER MOORE: So was she  
27 screaming at you?

1           INMATE STRONG: She was telling us to  
2 stop.

3           DEPUTY COMMISSIONER MOORE: And who else  
4 had a weapon?

5           INMATE STRONG: I'm the only one who had  
6 the weapon.

7           DEPUTY COMMISSIONER MOORE: Why did you  
8 get a knife?

9           INMATE STRONG: I wanted to do something  
10 to Mr. Jones.

11          DEPUTY COMMISSIONER MOORE: Why?

12          INMATE STRONG: Because he had struck me.  
13 If Mr. Jones would have just left there wouldn't  
14 have been no confrontation whatsoever.

15          DEPUTY COMMISSIONER MOORE: If you hadn't  
16 picked up the knife there wouldn't have been a  
17 confrontation whatsoever.

18          INMATE STRONG: That's true too.

19          DEPUTY COMMISSIONER MOORE: So you  
20 brought a knife, you got the knife for a  
21 fistfight, is that right?

22          INMATE STRONG: I got the knife to do  
23 some damage to Mr. Jones.

24          DEPUTY COMMISSIONER MOORE: And you were  
25 under the influence of cocaine?

26          INMATE STRONG: Yes ma'am.

27          DEPUTY COMMISSIONER MOORE: Okay. That's

1 all the questions I have about the offense.

2 **PRESIDING COMMISSIONER INGLEE:** From the  
3 time that you had arrived at your wife's home  
4 how long had it been since you had last used  
5 cocaine? An hour, two days, one day?

6 **INMATE STRONG:** No, it was that same day.  
7 It was maybe within the hour, an hour or two  
8 before I went over. Me and an associate of mine  
9 had engaged in some more cocaine.

10 **PRESIDING COMMISSIONER INGLEE:** What  
11 about alcohol? Alcohol wasn't your drug of  
12 choice?

13 **INMATE STRONG:** No.

14 **PRESIDING COMMISSIONER INGLEE:** All  
15 right. Let's take a look at your prior  
16 criminality. Under juvenile record. You  
17 apparently have stated before that you had gone  
18 to juvenile hall on one occasion in Fresno for  
19 attempting to steal a car. Is that correct?

20 **INMATE STRONG:** Yes.

21 **PRESIDING COMMISSIONER INGLEE:** Do you  
22 recall what year that was?

23 **INMATE STRONG:** No. I was a teenager.

24 **PRESIDING COMMISSIONER INGLEE:**  
25 Approximately how old? Sixteen, 15?

26 **INMATE STRONG:** Yeah, about 15, somewhere  
27 in there.

1           **PRESIDING COMMISSIONER INGLEE:** Adult  
2 convictions. On 1/26/1987 the prisoner was  
3 arrested by Fresno Police Department for  
4 battery. He was sentenced to 30 days county  
5 jail and a \$100 fine. What was that all about?

6           **INMATE STRONG:** What Ms. Moore was asking  
7 about, during the times that I had assaulted  
8 Diana.

9           **PRESIDING COMMISSIONER INGLEE:** These are  
10 those other periods?

11           **INMATE STRONG:** Yes sir.

12           **PRESIDING COMMISSIONER INGLEE:** She would  
13 have you arrested. You apparently were, and  
14 hopefully you are no longer, but you apparently  
15 were at that time a violent person.

16           **INMATE STRONG:** I was out of control.

17           **PRESIDING COMMISSIONER INGLEE:** In all of  
18 those instances where you had been involved in  
19 battery on your wife, were they all involved  
20 with drugs at the same time?

21           **INMATE STRONG:** Yes sir.

22           **PRESIDING COMMISSIONER INGLEE:** You do  
23 know that drugs are as easy to get today as they  
24 were then, maybe in some cases easier?

25           **INMATE STRONG:** Even so right here.

26           **PRESIDING COMMISSIONER INGLEE:** I know.  
27 But you're still -- I understand that. And I

1 hear this from a lot of folks who are, who were  
2 involved with drugs at one time and have not  
3 been participating in drugs for the last, for  
4 some time. But you still are under a certain  
5 amount of control here, you're in the state  
6 prison.

7 **INMATE STRONG:** Yes sir.

8 **PRESIDING COMMISSIONER INGLEE:** When you  
9 get out, you know, that's an open -- It's a free  
10 world out there.

11 **INMATE STRONG:** Yes sir, I understand  
12 that.

13 **PRESIDING COMMISSIONER INGLEE:** Drugs are  
14 accessible.

15 **INMATE STRONG:** But I don't have no  
16 desire. And the only thing I can do is tell you  
17 today what I can do. I don't have no desire to  
18 use drugs no more. And plus when I get out I'm  
19 looking forward to becoming a member of NA on  
20 the streets. I know it's an ongoing thing. You  
21 just, you know. Just because I do NA in here it  
22 means when I get to the street it stops. It  
23 doesn't.

24 **PRESIDING COMMISSIONER INGLEE:** You know  
25 where you plan to do -- We'll be talking about  
26 your parole plans here in just a moment. But do  
27 you already know where you're going? Who you

1 can use as a sponsor and where you can go for NA  
2 meetings?

3 INMATE STRONG: Yes sir.

4 PRESIDING COMMISSIONER INGLEE: Okay, and  
5 we'll talk about that later. All right. On  
6 2/12/1987 the prisoner was arrested by the  
7 Fresno Police Department for inflicting corporal  
8 punishment on a spouse. Again the same?

9 INMATE STRONG: Yes sir.

10 PRESIDING COMMISSIONER INGLEE: In this  
11 case you were sentenced to 60 days county jail.

12 INMATE STRONG: Yes sir.

13 PRESIDING COMMISSIONER INGLEE: Fined  
14 \$250.

15 INMATE STRONG: May I make a comment on  
16 that sir?

17 PRESIDING COMMISSIONER INGLEE:

18 Certainly.

19 INMATE STRONG: It was -- Everything was  
20 suspended. I never spent 60 days in the county  
21 jail. I never did no jail time other than being  
22 arrested for the spousal abuse and for another  
23 incident.

24 PRESIDING COMMISSIONER INGLEE: What  
25 incident was that?

26 INMATE STRONG: I believe when there was  
27 a firearm in the back of a car.



1           **PRESIDING COMMISSIONER INGLEE:** Is that  
2 carrying a loaded weapon in a public place?

3           **INMATE STRONG:** Yeah, it was a shotgun in  
4 the back of the, the back of the car.

5           **PRESIDING COMMISSIONER INGLEE:** It was in  
6 1978.

7           **INMATE STRONG:** Yeah.

8           **PRESIDING COMMISSIONER INGLEE:** And that  
9 was 1/19 of 1978. Receiving stolen property and  
10 then carrying a loaded firearm. Then 4/6 of  
11 1978 you were arrested again.

12           **DEPUTY COMMISSIONER MOORE:** I'm sorry,  
13 Commissioner, I have to turn the tape over.

14           **PRESIDING COMMISSIONER INGLEE:** That's  
15 all right.

16                   (The tape was turned over.)

17           **DEPUTY COMMISSIONER MOORE:** We're back on  
18 the record at 5:35.

19           **PRESIDING COMMISSIONER INGLEE:** I think  
20 what I'm looking at is the final disposition of  
21 this and in this case it was dismissed. A  
22 2/22/88 inflicting corporal punishment on  
23 spouse. Convicted, jail misdemeanor, 24 months  
24 probation, 60 days jail. It doesn't indicate  
25 that that was dropped.

26           **INMATE STRONG:** Sir, I never spent a day  
27 in jail.

1           **PRESIDING COMMISSIONER INGLEE:** I  
2 understand, you know. There is no way for me  
3 sitting here this afternoon at 5:30 for me to  
4 check on this.

5           **INMATE STRONG:** Right.

6           **PRESIDING COMMISSIONER INGLEE:** All I can  
7 do is take a look at the rap sheet. I'm looking  
8 at -- I thought possibly they had typed it up  
9 incorrectly on their report and that sometimes  
10 happens. That's the reason I'm going to the rap  
11 sheet and looking at it.

12           **DEPUTY COMMISSIONER MOORE:** I may be able  
13 to shed a little light on that if you'd like,  
14 Commissioner.

15           **PRESIDING COMMISSIONER INGLEE:** Sure,  
16 certainly.

17           **DEPUTY COMMISSIONER MOORE:** In looking at  
18 the original probation report that was written  
19 in this matter there is a 1/26/87 entry for a  
20 battery in which jail was suspended, except for  
21 the arrest time that you spent in custody. The  
22 second offense, which was on 2/12/87 --

23           **PRESIDING COMMISSIONER INGLEE:** That was  
24 the injury on spouse.

25           **DEPUTY COMMISSIONER MOORE:** Yes, correct,  
26 injury on spouse. I believe the entry plea was  
27 on 2/26/88, which showed there was a sentence of

1 60 days but there is a suspended sentence  
2 indicated in the probation report. I don't know  
3 if that gives any clarification.

4 **PRESIDING COMMISSIONER INGLEE:** Well it  
5 follows along with what Mr. Strong is saying.  
6 Did you ever spend even an overnight period of  
7 time in the county jail?

8 **INMATE STRONG:** Just one time prior to  
9 when I assaulted her in that gun incident.  
10 Other than that I had never been to the county  
11 jail.

12 **PRESIDING COMMISSIONER INGLEE:** And how  
13 many times were you in county jail?

14 **INMATE STRONG:** Twice.

15 **PRESIDING COMMISSIONER INGLEE:** And for  
16 how long a period of time each time?

17 **INMATE STRONG:** One night.

18 **PRESIDING COMMISSIONER INGLEE:** So you  
19 were there twice for --

20 **INMATE STRONG:** Two day, for two days.

21 **PRESIDING COMMISSIONER INGLEE:** For two  
22 days.

23 **INMATE STRONG:** Yes sir.

24 **PRESIDING COMMISSIONER INGLEE:** On two  
25 different occasions.

26 **INMATE STRONG:** Yes sir.

27 **PRESIDING COMMISSIONER INGLEE:** All

1 right.

2           **ATTORNEY LEWIS:** I'm sorry, is that twice  
3 for two days, a total of four, or is it one day  
4 each time?

5           **PRESIDING COMMISSIONER INGLEE:** He did  
6 twice --

7           **INMATE STRONG:** One day each time.

8           **PRESIDING COMMISSIONER INGLEE:** He was  
9 there twice, one day each.

10          **ATTORNEY LEWIS:** Thank you.

11          **PRESIDING COMMISSIONER INGLEE:** No, I  
12 understand. All right, anything else we should  
13 know concerning your criminal background?

14          **INMATE STRONG:** That's it right there in  
15 front of you sir. Everything you have is there.

16          **PRESIDING COMMISSIONER INGLEE:** Well it's  
17 disturbing. Obviously, from what you tell me,  
18 it's a drug-induced problem you had. It's a  
19 shame that somebody in your family didn't get a  
20 hold of you and stop that cycle. We probably  
21 wouldn't be having this conversation today.

22          **INMATE STRONG:** You're right sir, I agree  
23 with you. But they was, they was, my family  
24 members was talking with me. I just, I just  
25 didn't hear them.

26          **PRESIDING COMMISSIONER INGLEE:** You  
27 weren't listening.

1           **INMATE STRONG:** No sir.

2           **PRESIDING COMMISSIONER INGLEE:** Okay,  
3 let's take a look at your personal history.  
4 Mr. Strong was born February 15, 1954 in Fresno,  
5 California. He was raised by his mother,  
6 Dorothy Potts, P-O-T-T-S, his parents were never  
7 married. He believes his father was a man named  
8 Pre Hacket?

9           **INMATE STRONG:** Yes sir.

10          **PRESIDING COMMISSIONER INGLEE:** Pre is  
11 the first name, P-R-E, the last name Hacket, H-  
12 A-C-K-E-T, who died in the early 1970s.  
13 Sylvester has six brothers and one sister. He  
14 graduated from Washington Union High School in  
15 1972. He never served in the military. At the  
16 time of his arrest he was residing with his  
17 mother. Sylvester married Diana Pinson.

18          **INMATE STRONG:** Yes sir.

19          **PRESIDING COMMISSIONER INGLEE:** P-I-N-S-  
20 O-N, the victim, on June 6, 1980 in Las Vegas,  
21 Nevada. They began experiencing marital  
22 problems in 1986 and were divorced on November  
23 19, 1987. Their son, Sylvester Strong Junior  
24 was born from this union and now resides with  
25 his maternal grandmother in Fresno. Does he  
26 still live with her?

27          **INMATE STRONG:** Yes.

1           **PRESIDING COMMISSIONER INGLEE:** Sylvester  
2 worked in animal control for the Society for the  
3 Prevention of Cruelty to Animals for seven  
4 years. Some notations down here. Supposed to  
5 have received \$3,000 from a property settlement  
6 from his ex-spouse. He did not receive it. He  
7 owed \$9,000 to finance companies. This is  
8 referencing the point in time of the crime. He  
9 first used cocaine in 1985. He used about a  
10 gram a month until his arrest on December 10,  
11 1987. Sylvester feels that the use of cocaine  
12 was 99 percent of the cause of his downfall. He  
13 married Gloria Summerfield (phonetic) on  
14 2/29/2002. There are no children from this  
15 union. There is no history of medical or  
16 psychiatric problem. There is no history of  
17 sexual deviation. Okay. Did you ever try any  
18 other drugs before you got into cocaine such as  
19 -- well, I asked you about alcohol but  
20 marijuana. That was a big leap from nothing to  
21 cocaine.

22           **ATTORNEY LEWIS:** He didn't answer on the  
23 record, he shook his head. Could you say yes or  
24 no.

25           **INMATE STRONG:** No, I did not. You know,  
26 I hit marijuana once in a while but it wasn't no  
27 big thing, you know.

1           PRESIDING COMMISSIONER INGLEE: Did you  
2 use it once?

3           INMATE STRONG: Once or twice.

4           PRESIDING COMMISSIONER INGLEE: Three  
5 times, four times?

6           INMATE STRONG: Once or twice. It didn't  
7 do nothing. It was --

8           PRESIDING COMMISSIONER INGLEE: All  
9 right. Well we have had a bit of a miscue  
10 because we're going back to that discussion as  
11 to your admitting to as to what really happened  
12 the day of the killing. My reason for asking  
13 the question a couple of times was because you  
14 obviously had your dates mixed up there. And I  
15 want to be sure that we have the right story  
16 going into this. Okay, anything else about your  
17 personal life that we should know?

18          INMATE STRONG: My personal life today or  
19 then?

20          PRESIDING COMMISSIONER INGLEE: All then.  
21 Okay.

22          ATTORNEY LEWIS: Answer yes or no.

23          PRESIDING COMMISSIONER INGLEE: You've  
24 got to say yes or no.

25          INMATE STRONG: No sir, there isn't  
26 anything else I want to say.

27          PRESIDING COMMISSIONER INGLEE: All

1 right. Let's take a look at your parole plans.  
2 You plan to reside with your mother, Dorothy  
3 Potts.

4 **INMATE STRONG:** Yes sir.

5 **PRESIDING COMMISSIONER INGLEE:** On South  
6 Martin Luther King Boulevard in Fresno,  
7 California. You also applied -- Did you get any  
8 results from the Salvation Army?

9 **INMATE STRONG:** No I didn't. What I did  
10 with the Salvation Army is donated -- When I  
11 wrote to the Salvation Army I donated \$10 to the  
12 hurricane victims program. That's what the  
13 Salvation Army was about.

14 **PRESIDING COMMISSIONER INGLEE:** Well it  
15 says here you also applied to the Salvation Army  
16 Rehabilitation Center in Fresno, California  
17 regarding participating in their program and  
18 boarding facilities.

19 **INMATE STRONG:** Yes, they never -- Well  
20 they sent me a letter but -- I don't have it  
21 with me today but it should be, a copy of it  
22 should be in my C File.

23 **PRESIDING COMMISSIONER INGLEE:** Well my  
24 reason for saying that is that -- I'm not  
25 suggesting that's better than your mother. I'm  
26 just saying that I've had several inmates who  
27 have used the Salvation Army.



1           INMATE STRONG: Yeah.

2           PRESIDING COMMISSIONER INGLEE: And they  
3   apparently had a pretty good program. Now that  
4   may or may not be the truth in all areas because  
5   like anything else these things are different  
6   from place to place. But the two that I'm  
7   familiar with are in Los Angeles and San Diego.

8           INMATE STRONG: Yeah. Even in San Diego  
9   they have that, they've got some good programs  
10   down there.

11          PRESIDING COMMISSIONER INGLEE: They've  
12   got some excellent programs.

13          INMATE STRONG: Excellent, yeah.

14          PRESIDING COMMISSIONER INGLEE: Amity is  
15   another one.

16          INMATE STRONG: Right.

17          PRESIDING COMMISSIONER INGLEE: The Amity  
18   program.

19          INMATE STRONG: Right. But I'm going to  
20   be living with my mother.

21          PRESIDING COMMISSIONER INGLEE: Okay.

22          INMATE STRONG: There's a picture of the  
23   home that I'm going to be living at.

24          PRESIDING COMMISSIONER INGLEE: I was  
25   just looking at it. Your attorney  
26   (indiscernible. It's very nice.

27          INMATE STRONG: All right.

1           **PRESIDING COMMISSIONER INGLEE:** Your  
2 employment. Strong plans to work as a stocker  
3 and a clerk at the Cigarette Outlet.

4           **INMATE STRONG:** Correct.

5           **PRESIDING COMMISSIONER INGLEE:** Located  
6 on Fresno Street, Fresno and the telephone  
7 number. You hope to go back to work for  
8 prevention of cruelty to animals.

9           **INMATE STRONG:** Yes sir.

10          **PRESIDING COMMISSIONER INGLEE:** Okay.  
11 Have you made any inquiries with them?

12          **INMATE STRONG:** They just told me when I  
13 get out to come back and apply again, you know.  
14 But that was about the extent of it.

15          **PRESIDING COMMISSIONER INGLEE:** Okay, all  
16 right. In that regard let's take a look at your  
17 letters. The first letter we have is from the  
18 District Attorney's Office in the County of  
19 Fresno. It's to:

20               "Dear Prison Terms. Please be  
21 advised that due to limited  
22 resources a representative of this  
23 office will not be able to attend  
24 the above-referenced parole  
25 consideration hearing.

26               Notwithstanding we want the Board  
27 of Prison Terms to know this

1 office opposes the parole of the  
2 above inmate."

3 This is referencing Sylvester Strong.

4 "Accordingly we hereby submit this  
5 letter in opposition to giving  
6 inmate Strong a parole date at  
7 this time. Opposition is based  
8 on, number one, the violent and  
9 calculated nature of the  
10 commitment offense. Number two,  
11 the inmate's continued need for  
12 self-help to help him understand  
13 the nature of the interpersonal  
14 relationship. Number three, the  
15 lack of insight into the  
16 underlying reasons for the crime.  
17 Number four, the inmate's prior  
18 record of violence and the  
19 unreasonable risk this person  
20 poses to the general population if  
21 released at this time."

22 And that's signed by James Sanderson, Deputy  
23 District Attorney. Okay. While I'm into that I  
24 will just make the notation that five 3042  
25 letters were sent out from the prison in this  
26 regard to the various agencies and courts that  
27 were involved in your incarceration. We

1 received one letter back, which I just read, and  
2 that's from the District Attorney's Office.  
3 Let's take a look at your letters of support.

4 "I am Gloria Strong, Sylvester  
5 Strong's wife. I am here to  
6 support my husband in anything he  
7 is in the need of. I lived in an  
8 apartment that my husband would  
9 not be allowed to live in because  
10 he is a felon. I now live in a  
11 house that he will be welcome in.  
12 I love my husband and look forward  
13 to him coming home. I am disabled  
14 and unable to see Sylvester and I  
15 would like -- Please don't take  
16 this as me not caring. I love the  
17 man I married. I want him home."

18 Are you going to be living with your wife or  
19 with your mother?

20 **INMATE STRONG:** I'm going to parole back  
21 to my mother's home because my wife has older  
22 children and they take care of her. I don't  
23 have a relationship with them. What I'm going  
24 to do is first make the transition with my  
25 mother and see how things are over there.  
26 Because I want to try to keep myself in a safe  
27 position, you know.

1           **PRESIDING COMMISSIONER INGLEE:** What city  
2 does your wife live in?

3           **INMATE STRONG:** In Fresno also.

4           **PRESIDING COMMISSIONER INGLEE:** Okay. I  
5 may not have the second page of this letter but  
6 if I do have -- You might ask your wife to, if  
7 you don't get a date today and she sends another  
8 letter, ask her to put her name down and sign it  
9 with an address.

10          **INMATE STRONG:** Okay.

11          **PRESIDING COMMISSIONER INGLEE:** Okay,  
12 this is from your mother, Dorothy Potts.

13                "I, Dorothy Potts, mother of  
14                Sylvester Strong Sr., will have a  
15                place for my son to live. The  
16                Parole Board may visit my home  
17                anytime. I can understand that  
18                both sides of the family will  
19                (indiscernible). We pray and ask  
20                for the forgiveness of God."

21 So that's a very nice letter from your mother  
22 offering a place to live. And I've seen the  
23 picture, it's a very nice home.

24          **INMATE STRONG:** Okay, thank you.

25          **PRESIDING COMMISSIONER INGLEE:** And you  
26 have a letter of support from Bobby Gilbert.

27          **INMATE STRONG:** Yes sir.

1           **PRESIDING COMMISSIONER INGLEE:** Who  
2     apparently is a juvenile correctional officer.  
3     And he is a nephew.

4           **INMATE STRONG:** Yes sir.

5           **PRESIDING COMMISSIONER INGLEE:** And then  
6     you have a letter from Diana Harris who is your  
7     sister.

8           **INMATE STRONG:** Yes sir.

9           **PRESIDING COMMISSIONER INGLEE:** Another  
10    nice letter of support. And I have another  
11    letter from your -- Is Andrew or Anita your  
12    brother or sister?

13          **INMATE STRONG:** Andrew is my brother and  
14    Anita is his wife.

15          **PRESIDING COMMISSIONER INGLEE:** Okay, so  
16    that was my question. They sent a very nice  
17    letter of support. I have a letter here from  
18    your job. And it's only disconcerting because  
19    it doesn't look like a job letter. It looks  
20    like something someone put on a typewriter and  
21    sort of banged out.

22          **INMATE STRONG:** Well, that's my uncle  
23    John. He owns the cigarette store and there's  
24    his number.

25          **PRESIDING COMMISSIONER INGLEE:** Well I'm  
26    not doubting necessarily there is -- But, I  
27    mean, it's -- Again, I'll accept this as being a

1 offer for a job.

2 INMATE STRONG: Yeah.

3 PRESIDING COMMISSIONER INGLEE: However,  
4 it's a little disconcerting. I don't really  
5 demand that they be something that looks like  
6 it's being sent from General Motors.

7 INMATE STRONG: Okay.

8 PRESIDING COMMISSIONER INGLEE: But let  
9 me suggest that he might be a little more formal  
10 and tell us a little more about the job, if in  
11 fact you don't get a date today, okay.

12 INMATE STRONG: Sir --

13 PRESIDING COMMISSIONER INGLEE: And also,  
14 it would also be nice if he signed it.

15 INMATE STRONG: Sir, that's the second  
16 time you indicated, if I don't get a date. Is  
17 it leading that way?

18 PRESIDING COMMISSIONER INGLEE: We always  
19 -- No, it has nothing to do with that. It's how  
20 we describe it.

21 INMATE STRONG: Okay.

22 PRESIDING COMMISSIONER INGLEE: If I said  
23 nothing to you and we got to the end of this  
24 hearing and you walked away and said, what on  
25 earth can I do to possibly get out of here? All  
26 I'm doing you is giving hallmarks as we go  
27 along.

1           INMATE STRONG:   Okay.

2           PRESIDING COMMISSIONER INGLEE:   As to  
3 things you can do if you don't get a date today,  
4 that's all.

5           INMATE STRONG:   All right, all right.

6           PRESIDING COMMISSIONER INGLEE:   Simple as  
7 that.   So ask John.   You say this is your uncle?

8           INMATE STRONG:   Yes sir.

9           PRESIDING COMMISSIONER INGLEE:   To try to  
10 come up with a little more formal letter telling  
11 us what you're going to be doing.   And also have  
12 him sign the letter, all right?

13          INMATE STRONG:   Okay.

14          PRESIDING COMMISSIONER INGLEE:   Such as  
15 the address for the company.   You know, just,  
16 okay.   All right, anything else in your parole  
17 plans?

18          INMATE STRONG:   Other than attending NA  
19 when I get out to the streets and going to work,  
20 staying out of trouble.   Trying to get my life  
21 back together.

22          PRESIDING COMMISSIONER INGLEE:   What will  
23 you be doing for your uncle in his, for the  
24 cigarette store?

25          INMATE STRONG:   Working in the store  
26 stocking, as a stock, running the cash register.

27          PRESIDING COMMISSIONER INGLEE:   Will that



1 be a fulltime, 40 hour, 40 hour job?

2 INMATE STRONG: Yes.

3 PRESIDING COMMISSIONER INGLEE: Who is  
4 doing that job now?

5 INMATE STRONG: It's a family-owned  
6 business. My nephew and his wife.

7 PRESIDING COMMISSIONER INGLEE: So he can  
8 absorb you into the position?

9 INMATE STRONG: Yes.

10 PRESIDING COMMISSIONER INGLEE: All  
11 right, with that let's move on to post-  
12 conviction factors.

13 DEPUTY COMMISSIONER MOORE: Thank you.  
14 Mr. Strong, I am going to review with you with  
15 some focus since your last hearing in November  
16 of '04 of what has occurred and what you've  
17 accomplished. And also I'm going to have some  
18 questions for you about some of the programming  
19 that you've done. If I am in error about  
20 anything please let me know and we can make a  
21 correction for the record. I may ask you for  
22 some updated information as well, okay?

23 INMATE STRONG: Okay, Ms. Moore.

24 DEPUTY COMMISSIONER MOORE: Your last  
25 hearing date was on November 18, 2004, in which  
26 you were denied parole for one year. You were  
27 asked to remain disciplinary-free, which you

1 have done. You were asked to seek self-help  
2 when available, specifically in the area of  
3 domestic violence or a batterer's treatment  
4 program. Do any of those programs exist here at  
5 CTF?

6 INMATE STRONG: No ma'am, they doesn't.

7 DEPUTY COMMISSIONER MOORE: Okay. And  
8 that's a frustration for you.

9 INMATE STRONG: To a degree but I went  
10 outside the institution and got some  
11 information.

12 DEPUTY COMMISSIONER MOORE: What did you  
13 do? What did you find out?

14 INMATE STRONG: I went over to -- I had  
15 someone, a friend of mine go over the Internet  
16 and get some information that my counselor  
17 entered into my C File and never gave me the  
18 copies back. But it's in my C File about  
19 domestic violence.

20 DEPUTY COMMISSIONER MOORE: Specifically  
21 what?

22 INMATE STRONG: How to prevent it, the  
23 cause of it, you know. What could I do to look  
24 at myself.

25 DEPUTY COMMISSIONER MOORE: Did you get  
26 some materials to review?

27 INMATE STRONG: Yes I did.

1           **DEPUTY COMMISSIONER MOORE:** Okay. And  
2 this was from an Internet source?

3           **INMATE STRONG:** Yes ma'am.

4           **DEPUTY COMMISSIONER MOORE:** Okay.

5           **PRESIDING COMMISSIONER INGLEE:** While  
6 she's looking at that, are there any books in  
7 the library here?

8           **INMATE STRONG:** I already participated in  
9 that particular program doing a book report on  
10 it.

11           **PRESIDING COMMISSIONER INGLEE:** Do you  
12 have your book reports with you?

13           **INMATE STRONG:** No, I don't have them  
14 here, they're in the file. That was done  
15 sometime on the last hearing. The only thing I  
16 have with me present now is what I did since the  
17 last Board Hearing.

18           **DEPUTY COMMISSIONER MOORE:** Okay. I'm  
19 going to come back to that in a moment. I did  
20 want to clarify for the panel that currently  
21 there are no batterer's treatment programs  
22 available here at CTF for you to participate in.  
23 Is that correct?

24           **INMATE STRONG:** That's correct.

25           **DEPUTY COMMISSIONER MOORE:** Okay. You  
26 were also asked to obtain and earn positive  
27 chronos.

1           **INMATE STRONG:** Yes ma'am.

2           **DEPUTY COMMISSIONER MOORE:** Which I'll be  
3 getting to and you do have. Your classification  
4 score is the lowest possible for a life inmate  
5 of zero or a 19 with the life classification and  
6 you obtained that score on August of '99. You  
7 are of a Medium-A custody level and you achieved  
8 that in August of '99 as well. You are clear of  
9 any gang affiliation. And your current work  
10 assignment, and has been for the past five  
11 years, almost five years, in the PIA upholstery  
12 shop. In which you have received -- You have  
13 gone from average to above average to consistent  
14 exceptional work reviews. And your supervisor,  
15 Arroyo (phonetic).

16           **INMATE STRONG:** Yes ma'am.

17           **DEPUTY COMMISSIONER MOORE:** Who has been  
18 your supervisor for quite some time. Almost  
19 your entire period in this job.

20           **INMATE STRONG:** Right.

21           **DEPUTY COMMISSIONER MOORE:** You've been  
22 promoted and you're probably pretty close to the  
23 top of the pay scale as well for the level of  
24 work you do. The last report is dated on  
25 February 1 of 2006. You are to be commended for  
26 an excellent work history.

27           **INMATE STRONG:** Thank you.

1           **DEPUTY COMMISSIONER MOORE:** You indicate  
2 that you have your high school degree and my  
3 concern that I have is about your -- They give  
4 you here in prison grade placement and in 1998  
5 you showed a 4.6.

6           **INMATE STRONG:** Yes. As I previously  
7 stated in all the other hearings, the reason why  
8 that came up is we was at a reception center and  
9 they just popped the door open and told us they  
10 want us to take a TABE test. Every institution  
11 I go to it seems like it's a TABE test. And I  
12 explained to the person at that place that I  
13 have a high school diploma, I even presented it  
14 to him. He said he didn't care. And I had a  
15 nonchalant attitude where I didn't care so I  
16 just marked anything basically.

17           **DEPUTY COMMISSIONER MOORE:** Okay.

18           **INMATE STRONG:** Which two wrongs don't  
19 make a right.

20           **DEPUTY COMMISSIONER MOORE:** That hurts  
21 you.

22           **INMATE STRONG:** Yeah.

23           **DEPUTY COMMISSIONER MOORE:** It does in  
24 the long run. Because now I get concerned about  
25 your ability to understand directions, obtain a  
26 driver's license, you know. There's many  
27 directions we have to read, instructions when we

1 participate in the outside world. I'm going to  
2 use the same phrase the Commissioner said.  
3 Should you not get a date today, that's only --  
4 as you understand why we say that.

5 **INMATE STRONG:** Right.

6 **DEPUTY COMMISSIONER MOORE:** This is  
7 something you want to talk to your counselor  
8 about, seeing if you can take the TABE test  
9 again.

10 **INMATE STRONG:** Well I have rectified  
11 that by stating and showing and having  
12 Ms. Barnes from this institution not to take my  
13 high school diploma that I have, to retrieve one  
14 herself. And the counselors told me that was  
15 sufficient enough.

16 **DEPUTY COMMISSIONER MOORE:** Let me tell  
17 you where I'm coming from on this. I have many  
18 men sitting on that side of the table who have  
19 high school diplomas that are of your age that  
20 still can't read. I don't believe that's the  
21 case for you. I don't believe you could have  
22 obtained the seven years of employment, eight  
23 years of employment with the City of Fresno  
24 without those kinds of skills. But if you do  
25 get the opportunity to take the TABE test I  
26 would highly recommend it. Just so that we have  
27 more proof, more evidence of your abilities,

1 that's all. I do note that you do have a high  
2 school diploma. Your vocational training is in  
3 upholstery.

4 INMATE STRONG: Yes ma'am.

5 DEPUTY COMMISSIONER MOORE: And you  
6 recently attended, recently last year, an  
7 upholstery training seminar put on by a private  
8 company inside the prison.

9 INMATE STRONG: Right.

10 DEPUTY COMMISSIONER MOORE: And you  
11 successfully completed that.

12 INMATE STRONG: Correct.

13 DEPUTY COMMISSIONER MOORE: Okay. You  
14 have no -- I saw some masonry work some time  
15 ago.

16 INMATE STRONG: Right, that was at  
17 Pleasant Valley. That was back in '96. I had  
18 like three more steps to complete the complete  
19 trade and they transferred me here saying that  
20 they, I was no longer needed there. You know,  
21 they needed the space and I didn't get an  
22 opportunity to complete it.

23 DEPUTY COMMISSIONER MOORE: And that's  
24 what I noted, that you had completed the  
25 majority of the units.

26 INMATE STRONG: Yes.

27 DEPUTY COMMISSIONER MOORE: And close to

1 getting the certification in there. Are there  
2 any other trades, vocations that you've received  
3 training in?

4 **INMATE STRONG:** No ma'am, other than  
5 upholstery.

6 **DEPUTY COMMISSIONER MOORE:** Okay. You  
7 have participated the majority of the time in  
8 Narcotics Anonymous, some of it was also AA when  
9 available. The earliest chronos that I'm seeing  
10 are in April of '01, 2001. Were you  
11 participating prior to that as well?

12 **INMATE STRONG:** Yes ma'am. I started NA  
13 in '94 at Corcoran.

14 **DEPUTY COMMISSIONER MOORE:** Okay. And  
15 whenever available you've been participating?

16 **INMATE STRONG:** Yes ma'am.

17 **DEPUTY COMMISSIONER MOORE:** Okay. Still  
18 going?

19 **INMATE STRONG:** Yes ma'am.

20 **DEPUTY COMMISSIONER MOORE:** And what's  
21 your clean and sober date?

22 **INMATE STRONG:** Truthfully?

23 **DEPUTY COMMISSIONER MOORE:** Well that's  
24 what we're looking for here.

25 **INMATE STRONG:** Okay. I've been clean  
26 since -- I got here in '96. About '93, '92.

27 **DEPUTY COMMISSIONER MOORE:** Okay. So



1 while in custody at some time.

2 INMATE STRONG: Yes.

3 DEPUTY COMMISSIONER MOORE: You didn't  
4 receive a 115 or a 128.

5 INMATE STRONG: No.

6 DEPUTY COMMISSIONER MOORE: Pruno or  
7 drugs?

8 INMATE STRONG: A pass of a joint. I hit  
9 it and passed it back.

10 DEPUTY COMMISSIONER MOORE: Still using.

11 INMATE STRONG: Yes.

12 DEPUTY COMMISSIONER MOORE: Okay. So  
13 clean and sober then for coming up on ten years?

14 INMATE STRONG: Yes ma'am.

15 DEPUTY COMMISSIONER MOORE: Okay.

16 ATTORNEY LEWIS: Thirteen.

17 DEPUTY COMMISSIONER MOORE: Thirteen.

18 Did he say '93 or '95?

19 INMATE STRONG: '93.

20 DEPUTY COMMISSIONER MOORE: '93, okay.

21 Coming up on 13 years clean and sober. Tell me  
22 about the work you've done in Narcotics  
23 Anonymous. Tell me about your footwork.

24 INMATE STRONG: Okay, what we do is it's  
25 a program that gives you the insight and  
26 understanding of why use drugs and the effect it  
27 has on you. We have steps that we participate

1 in.

2 DEPUTY COMMISSIONER MOORE: Have you  
3 worked all the steps?

4 INMATE STRONG: I'm familiar with all the  
5 steps. But the steps that I cling to, that was  
6 number one, that I admitted that I was powerless  
7 over my addiction, that my life had become  
8 unmanageable. Then number two, I come to  
9 believe a power greater than myself can restore  
10 me back to sanity. Then I go to number eight.

11 DEPUTY COMMISSIONER MOORE: What happened  
12 to four?

13 INMATE STRONG: Well four.

14 DEPUTY COMMISSIONER MOORE: A written  
15 inventory. A searching, moral and honest  
16 inventory.

17 INMATE STRONG: That's a good one too.

18 DEPUTY COMMISSIONER MOORE: And they're  
19 in order for a reason.

20 INMATE STRONG: Yeah, they are in order  
21 for a reason. But they tell us to work it as  
22 what fits our criteria. Then I went to number  
23 eight. That really kind of struck me where I  
24 made a list of all the people that I harmed and  
25 became willing to make amends to them.

26 DEPUTY COMMISSIONER MOORE: Well here's  
27 my question, and it's great that you did the

1 list.

2 INMATE STRONG: Yeah, yeah.

3 DEPUTY COMMISSIONER MOORE: But why  
4 didn't you do step four, writing the inventory?

5 INMATE STRONG: I just really never got  
6 into the-- I wrote it but either you're going  
7 to use it or you're not.

8 DEPUTY COMMISSIONER MOORE: How come you  
9 didn't do step four?

10 INMATE STRONG: I just didn't do it. You  
11 know, I went over them but I just didn't do step  
12 four.

13 DEPUTY COMMISSIONER MOORE: Because step  
14 five is pretty related to step four.

15 INMATE STRONG: They're all related  
16 together.

17 DEPUTY COMMISSIONER MOORE: But you have  
18 to share with another human being and your  
19 higher power the wrongs you did, the part that  
20 you have.

21 INMATE STRONG: Yes, that's --

22 DEPUTY COMMISSIONER MOORE: Have you ever  
23 done that?

24 INMATE STRONG: Yes.

25 DEPUTY COMMISSIONER MOORE: You have?  
26 Who did you do that with, a sponsor?

27 INMATE STRONG: I do it with, I do it in

1 NA. We talk and we get in -- we have time on  
2 the floor to talk about our case.

3 DEPUTY COMMISSIONER MOORE: Who  
4 introduced you to cocaine? Beverly?

5 INMATE STRONG: No.

6 DEPUTY COMMISSIONER MOORE: Who?

7 INMATE STRONG: A guy.

8 DEPUTY COMMISSIONER MOORE: Why did you  
9 use it?

10 INMATE STRONG: Because I thought I had,  
11 I thought I was on top.

12 DEPUTY COMMISSIONER MOORE: Life wasn't  
13 quite exciting enough?

14 INMATE STRONG: I thought I had it all so  
15 why not try a little cocaine.

16 DEPUTY COMMISSIONER MOORE: And who is  
17 Beverly Green (phonetic)?

18 INMATE STRONG: That's Monique's mother.

19 DEPUTY COMMISSIONER MOORE: And who is  
20 Beverly Green?

21 INMATE STRONG: That's the daughter,  
22 that's my daughter's mother.

23 DEPUTY COMMISSIONER MOORE: A woman you  
24 had an affair with while you were married?

25 INMATE STRONG: No.

26 DEPUTY COMMISSIONER MOORE: No?

27 INMATE STRONG: Beverly was, Beverly was

1 prior to, before Diana.

2 DEPUTY COMMISSIONER MOORE: Before Diana.

3 INMATE STRONG: Yes.

4 DEPUTY COMMISSIONER MOORE: Well how old

5 -- I note a 1985 date and I note that you were  
6 married from '87 so that's where my confusion  
7 comes in. And you know what, you had indicated  
8 earlier that the date was wrong on Monique.

9 INMATE STRONG: Yeah, yeah.

10 DEPUTY COMMISSIONER MOORE: Tell me how  
11 old Monique was when you committed the murder.

12 INMATE STRONG: Monique had to be about  
13 13 or 14.

14 DEPUTY COMMISSIONER MOORE: At that time?

15 INMATE STRONG: Yes.

16 DEPUTY COMMISSIONER MOORE: Okay.

17 INMATE STRONG: Beverly was my first  
18 girlfriend that I went with from '67, from '67  
19 to maybe '69.

20 DEPUTY COMMISSIONER MOORE: Okay.

21 INMATE STRONG: Beverly comes from a good  
22 family. Beverly had nothing --

23 DEPUTY COMMISSIONER MOORE: Okay.

24 INMATE STRONG: Beverly's family would  
25 not tolerate nothing like that.

26 DEPUTY COMMISSIONER MOORE: Well, the  
27 dates in the initial report when you came into

1 prison had some different things there.

2 INMATE STRONG: Yeah, yeah.

3 DEPUTY COMMISSIONER MOORE: So thank you  
4 for clearing that up. Do you still have a  
5 relationship with Monique?

6 INMATE STRONG: Yes.

7 DEPUTY COMMISSIONER MOORE: And how about  
8 Junior?

9 INMATE STRONG: Yes.

10 DEPUTY COMMISSIONER MOORE: What does  
11 Junior think about you killing his mom?

12 INMATE STRONG: He didn't approve of it.

13 DEPUTY COMMISSIONER MOORE: Well, how  
14 about you go a little bit further than that.

15 INMATE STRONG: He told me he didn't  
16 understand what happened and why it happened and  
17 I had to explain it to him. In explaining it to  
18 him he told me he still loved me and that meant  
19 a lot to me.

20 DEPUTY COMMISSIONER MOORE: How often do  
21 you see your son?

22 INMATE STRONG: I don't. I stopped  
23 seeing Sylvester when he turned 11.

24 DEPUTY COMMISSIONER MOORE: Why is that?

25 INMATE STRONG: He chose to do something  
26 other than what I wanted him to do.

27 DEPUTY COMMISSIONER MOORE: Which was?

1           INMATE STRONG: He became a gang member.

2           DEPUTY COMMISSIONER MOORE: Here in  
3 Fresno?

4           INMATE STRONG: Yes.

5           DEPUTY COMMISSIONER MOORE: Which gang?

6           INMATE STRONG: From my understanding  
7 they call theyself (sic) a Deuce Diamond Crip.

8           DEPUTY COMMISSIONER MOORE: At 11 years  
9 old?

10          INMATE STRONG: He was getting into it  
11 the last time I saw him. I recognized his  
12 little outfit that he had on and we talked about  
13 it. After that he --

14          DEPUTY COMMISSIONER MOORE: So you  
15 haven't had contact with him? He's 23 now?

16          INMATE STRONG: Yeah, he'll be 23 July  
17 the 1st.

18          DEPUTY COMMISSIONER MOORE: Have you seen  
19 him since?

20          INMATE STRONG: You know, I don't want to  
21 talk about Sylvester but I will say this.  
22 Sylvester is off the track right now. Sylvester  
23 is incarcerated as well.

24          DEPUTY COMMISSIONER MOORE: Locally or in  
25 the state prison?

26          INMATE STRONG: In the state prison.

27          DEPUTY COMMISSIONER MOORE: Have you

1 attempted to try -- Drugs part of his life?

2           **INMATE STRONG:** Truthfully, all I know,  
3 he was involved in gangs. I don't know. But I  
4 keep in contact with Sylvester through his  
5 grandmother Ruby, Diana's mother. I correspond  
6 with Sylvester right now. We write, you know.  
7 I always write him. But I lost, I lost control  
8 of him at 11, you know. In fact, that was the  
9 last time I kissed him on the cheek and he told  
10 me I couldn't do that no more.

11           **DEPUTY COMMISSIONER MOORE:** Some pretty  
12 serious consequences for taking the life of his  
13 mother.

14           **INMATE STRONG:** Yes. And that I can  
15 never change and that's something I have to live  
16 with the rest of my life.

17           **DEPUTY COMMISSIONER MOORE:** So coming  
18 back to NA. Has it been recommended to you that  
19 you work the steps?

20           **INMATE STRONG:** They tell us to work them  
21 as we need them, you know.

22           **DEPUTY COMMISSIONER MOORE:** What sort of  
23 literature have you read in NA?

24           **INMATE STRONG:** The literature that they  
25 offer us in there, you know. They have little  
26 pamphlets and stuff.

27           **DEPUTY COMMISSIONER MOORE:** Have you ever



1 read the book that AA uses called Alcoholics  
2 Anonymous?

3 **INMATE STRONG:** We have sessions in NA  
4 that we take turns reading out the book.

5 **DEPUTY COMMISSIONER MOORE:** The big book?

6 **INMATE STRONG:** Yeah, the big blue book.

7 **DEPUTY COMMISSIONER MOORE:** And have you  
8 over obtained a copy of that for yourself?

9 **INMATE STRONG:** No, when we go in there  
10 we read it out. They just have a couple of them  
11 and they just pass them around within the  
12 meeting.

13 **DEPUTY COMMISSIONER MOORE:** What does  
14 that book recommend? That's pretty much the  
15 bible of recovery, isn't it?

16 **INMATE STRONG:** The thing is, my theory  
17 is it's just, it's two things. You're going to  
18 use or you're not going to use, you know. And  
19 you find ways to -- It takes time to find out  
20 how not to use and why you use and all that.  
21 But we read the book.

22 **DEPUTY COMMISSIONER MOORE:** Okay.  
23 There's some other things that you've completed  
24 since your last hearing. The community reentry  
25 video and discussion occurred. Also anger  
26 management class in July of '05.

27 **INMATE STRONG:** Yes.

1           DEPUTY COMMISSIONER MOORE: And there was  
2 a tobacco awareness program that you also went  
3 through in January of '06. And I do want to,  
4 even though it was prior to your last hearing,  
5 in August of '02 you participated in a 13-week  
6 IMPACT program.

7           INMATE STRONG: Yes ma'am.

8           DEPUTY COMMISSIONER MOORE: What did you  
9 get from that?

10          INMATE STRONG: With IMPACT?

11          DEPUTY COMMISSIONER MOORE: Uh-hmm.

12          INMATE STRONG: That was a real awesome  
13 class. We had various topics. I mean, from  
14 domestic violence to gangs to murder. It was a  
15 very interesting class that Captain Garrett  
16 (phonetic) here at CTF was the sponsor of it.

17          DEPUTY COMMISSIONER MOORE: And you  
18 learned about your impact on what, your  
19 behavior?

20          INMATE STRONG: Basically when I went to  
21 the IMPACT class was to try to get some  
22 understanding on domestic violence.

23          DEPUTY COMMISSIONER MOORE: Did you?

24          INMATE STRONG: Yes.

25          DEPUTY COMMISSIONER MOORE: What did you  
26 learn?

27          INMATE STRONG: That I cannot control no

1 person but myself. That if my wife Gloria today  
2 tell me she don't want to be with me, I have to  
3 respect that. I can't make her do something  
4 that she don't want to do. She's a grown  
5 person.

6 **DEPUTY COMMISSIONER MOORE:** Does Gloria  
7 know about your history?

8 **INMATE STRONG:** Gloria, in fact, was  
9 working at the hospital. Yeah, she know about  
10 it, she know the whole case.

11 **DEPUTY COMMISSIONER MOORE:** Okay. We  
12 also have a laudatory chrono, which you spoke  
13 about earlier, and that was written by CC-I  
14 Palmer in September of '05 in which you  
15 participated with other inmates in making a  
16 financial donation for the victims of the  
17 Katrina Hurricane in the Louisiana/Mississippi  
18 area.

19 **INMATE STRONG:** Yes I did.

20 **DEPUTY COMMISSIONER MOORE:** Good  
21 community service. I'm going to move on now.  
22 Is there anything else you want to tell me about  
23 programming, laudatory chronos, work, academics,  
24 anything that I've missed or overlooked?

25 **INMATE STRONG:** You covered everything  
26 other than since the last Board Hearing I just  
27 received seven laudatory chronos, which you

1 mentioned.

2           **DEPUTY COMMISSIONER MOORE:** Okay. Yes,  
3 all for attendance at NA and AA. Consistent  
4 without a break, I would note.

5           **INMATE STRONG:** Yeah.

6           **DEPUTY COMMISSIONER MOORE:** Okay. Your  
7 disciplinary history involves two 115s that  
8 occurred in '93, excuse me. One for disruptive  
9 -- Both in September of '93. Disruptive  
10 behavior and threatening staff. About following  
11 the rules. Not wanting to follow the rules and  
12 getting your back up in a loud way would  
13 probably be the best way to characterize that.

14           **INMATE STRONG:** Yes ma'am.

15           **DEPUTY COMMISSIONER MOORE:** The 128s, you  
16 had six of them total and the last one was in  
17 October of '99. Again about getting your back  
18 up. Loud and disrespectful to staff. Wanting  
19 to control your world is how I would  
20 characterize them. And the last one was in  
21 October of '99. And that's -- So nothing in the  
22 past almost seven years, six-and-a-half years in  
23 that respect and nothing for twelve-and-a-half  
24 years as far as a 115. You've been clear. And  
25 with no violence involved in any of them, any of  
26 the write-ups. Anything else that I need to  
27 cover before I go to your psychological report?

1           **INMATE STRONG:** No, that's basically  
2 about everything.

3           **DEPUTY COMMISSIONER MOORE:** Okay. The  
4 psychological evaluation I'm going to review is  
5 dated October 11, 2004. Is that yours, the one  
6 you have, counsel?

7           **ATTORNEY LEWIS:** Yes it is.

8           **DEPUTY COMMISSIONER MOORE:** And it is  
9 entitled the psychological evaluation and it's  
10 written by Dr. Sexton, S-E-X-T-O-N, consulting  
11 psychologist, and Senior Supervising  
12 Psychologist, Zika, Z-I-K-A. They indicate that  
13 there was an interview of you for about two  
14 hours that lasted -- In October of '04. Do you  
15 recall that?

16           **INMATE STRONG:** Yes ma'am I do.

17           **DEPUTY COMMISSIONER MOORE:** Okay. They  
18 reviewed all of your records as well. They  
19 found -- They reviewed your criminal history as  
20 we've done here. They also reviewed the 115s  
21 and noted the '93, the two incidents in '93. In  
22 the question about the commitment offense you  
23 discussed your substance abuse, the relationship  
24 with your wife, your feelings of abandonment at  
25 great length. It was clear to the doctor that  
26 you had a deep understanding of the underlying  
27 causes for the offense and through numerous

1 courses that you've taken while incarcerated  
2 have learned alternative behaviors. And your  
3 remorse appeared to the doctor to be genuine and  
4 heartfelt. You indicated that you continue to  
5 be in communication with the victim's family.

6 That although you've remarried the victim's  
7 mother, I think you referred to her as Ruby.

8 **INMATE STRONG:** Yes ma'am, Ruby Pinson.

9 **DEPUTY COMMISSIONER MOORE:** Continues to  
10 be your mother-in-law and you are in contact  
11 with her. That she has forgiven you for the  
12 offense and it appears to the doctor that her  
13 forgiveness is very important to you.

14 **INMATE STRONG:** Yes it was.

15 **DEPUTY COMMISSIONER MOORE:** There were  
16 some brief psychiatric contacts while you were  
17 incarcerated, mostly for self-referrals for  
18 depression. One time you were placed on  
19 Vistaril, V-I-S-T-A-R-I-L. You're currently not  
20 taking any medication and it doesn't appear to  
21 have any lasting -- You do not appear to have  
22 any current issues regarding depression or  
23 anything like that. They do make note that it  
24 seems to be at about the time after a Board  
25 Hearing or just before a Board Hearing that you  
26 self-referred.

27 **INMATE STRONG:** Yes ma'am it was.

1           DEPUTY COMMISSIONER MOORE: Okay.

2 Consistent with previous reports there is no

3 evidence that you've ever experienced psychotic

4 symptoms or significant mood disorders. You are

5 clear, well spoken and articulate. Your

6 intellectual functioning appears to be in the

7 average range. Under diagnostic impressions

8 there were no diagnoses determined to be present

9 other than being a life prisoner. They indicate

10 your GAF score is at 85. The doctor does say

11 that your diagnosis has changed from previous

12 reports in his opinion. In the past there was a

13 label of adult antisocial behavior. The doctor

14 states that there is no indication of that at

15 this time and that the diagnosis has been

16 removed from his clinical impressions of you.

17 It's clear that you've chosen not to abuse

18 cocaine. Not because you don't have the

19 availability, because you don't wish to have

20 used it. And as a result the substance abuse,

21 poly-substance abuse has been dropped from your

22 diagnosis as well. I might also offer the

23 opinion that sometimes that can be as a result

24 of institutional remission of the abuse because

25 of institutional, you know, incarceration. But

26 as you've stated, you can come by it while

27 you're inside.

1           **INMATE STRONG:** Very easily.

2           **DEPUTY COMMISSIONER MOORE:** Yeah. Refers  
3 to 35 chronos for self-help programs. And this  
4 was in '04, you've only added to that number.  
5 And a limited yet significant arrest history.  
6 It's clear -- The doctor says it's clear that  
7 your aggressive behavior from the late '80s and  
8 early '90s is now changing for the better. As a  
9 result your violence potential compared to other  
10 inmates with whom you reside is considered to be  
11 below average. You have no assaultive history  
12 while you have been incarcerated. The doctor  
13 says it is somewhat difficult to predict the  
14 probability of aggressive behavior in the  
15 community. As people mature and change,  
16 behavior they have once found acceptable becomes  
17 unacceptable. What can be said is that compared  
18 to the average parolee in the community you are  
19 much less likely to be violent while on parole  
20 due in part to your age, greater maturity and  
21 your substance-free thinking or intellect. You  
22 appear to have no more violence potential than  
23 the average male in the general population of a  
24 similar age. And I believe you're 52 now?

25           **INMATE STRONG:** Yes ma'am, I am 52.

26           **DEPUTY COMMISSIONER MOORE:** Okay. There  
27 are no current factors which would predict an



1 increase in violence potential in the community.  
2 Substance abuse would clearly increase that  
3 potential. But it does not appear that  
4 substance abuse is currently a problem nor is it  
5 anticipated that it will be an issue for him  
6 when he is placed on parole. The comment about  
7 your numerous self-help, no current  
8 recommendation for additional self-help programs  
9 from the doctor, and that you appear to have  
10 reached your maximum benefit while incarcerated  
11 from self-help. What are your plans regarding  
12 NA upon your release?

13 **INMATE STRONG:** Well there's numerous NA  
14 programs in Fresno. My mother is going to make  
15 sure that I get in one. That's our discussions  
16 when she comes up to visit me. My mother visits  
17 me regularly. And she wants me to get into it.

18 **DEPUTY COMMISSIONER MOORE:** How often do  
19 you think you're going to have to go to  
20 meetings?

21 **INMATE STRONG:** Well, I'm going to try to  
22 make them as often as possible.

23 **DEPUTY COMMISSIONER MOORE:** Well how many  
24 do you think you need a week?

25 **INMATE STRONG:** I would say I'm going to  
26 try to at least make a average of at least four  
27 a week, you know.

1           **DEPUTY COMMISSIONER MOORE:** What else are  
2 you going to do when you start going to  
3 meetings? Do you need to get a sponsor?

4           **INMATE STRONG:** My sister-in-law has been  
5 my, she's going to be my sponsor.

6           **DEPUTY COMMISSIONER MOORE:** And I'm going  
7 to recommend to you that that not occur. You  
8 need a man to be your sponsor. Not a family  
9 member and not a woman.

10          **INMATE STRONG:** Okay.

11          **DEPUTY COMMISSIONER MOORE:** You have a  
12 lot of footwork to do on the 12 steps of  
13 Narcotics Anonymous, a lot. It needs to be with  
14 a man who has been clean and sober and is doing  
15 the deal.

16          **INMATE STRONG:** Okay, I acknowledge that.

17          **DEPUTY COMMISSIONER MOORE:** So I want to  
18 give you a little redirection on that.

19          **INMATE STRONG:** Okay.

20          **DEPUTY COMMISSIONER MOORE:** Get into  
21 service as soon as you can. Do you know what  
22 that means when I say, get into service in NA?

23          **INMATE STRONG:** No I don't.

24          **DEPUTY COMMISSIONER MOORE:** You start  
25 cleaning coffee cups, you clean up the ashtrays,  
26 you set up the chairs. You find a position  
27 where you're the greeter at the meeting and you

1 welcome the people.

2 INMATE STRONG: Oh, once on the streets.

3 Yeah, okay, I understand you now.

4 DEPUTY COMMISSIONER MOORE: On the  
5 streets.

6 INMATE STRONG: Yeah, okay. I do that  
7 here.

8 DEPUTY COMMISSIONER MOORE: Get into  
9 service on the outside.

10 INMATE STRONG: Okay.

11 DEPUTY COMMISSIONER MOORE: Is there  
12 anything else that you'd like to add at this  
13 time regarding post-conviction factors?

14 INMATE STRONG: That's it ma'am.

15 DEPUTY COMMISSIONER MOORE: Okay.

16 Commissioner, thank you, I have completed my  
17 presentation.

18 PRESIDING COMMISSIONER INGLEE: Okay.

19 All right, I have no questions. Do you have any  
20 questions, counselor?

21 ATTORNEY LEWIS: No I do not.

22 PRESIDING COMMISSIONER INGLEE: All  
23 right, would you go to the summary, please.

24 DEPUTY COMMISSIONER MOORE: You are going  
25 to be interrupted in the middle of it just to  
26 let you know.

27 ATTORNEY LEWIS: Will I?

1           **DEPUTY COMMISSIONER MOORE:** Yeah, I'm  
2 going to --

3           **PRESIDING COMMISSIONER INGLEE:** You want  
4 to take it, just go ahead and change those out?

5           **DEPUTY COMMISSIONER MOORE:** Well I  
6 haven't gotten the tapes unwrapped yet so you  
7 may want to begin, sir.

8           **ATTORNEY LEWIS:** Mr. Strong should be  
9 found suitable for parole. The following  
10 supports Mr. Strong in his contention that he  
11 has earned a second chance by being suitable for  
12 parole. He has definitely taken responsibility  
13 for the life crime. He has admitted guilt to  
14 the Board here today and at other times. He  
15 admitted guilt to the psychological evaluators,  
16 to a host of people. And also he pled guilty to  
17 the crime as well. Mr. Strong has a stable  
18 upbringing and he has experienced reasonable,  
19 stable relationships with others. Mr. Strong  
20 has been commended with excellent and/or above  
21 average work reports while incarcerated and he  
22 has also worked well with others, his  
23 supervisors and peers, and he has a great  
24 attitude. Mr. Strong has expressed remorse for  
25 his crime, with not only psychiatric evaluators  
26 but here today, and he is truly sorry. More  
27 importantly, however, Mr. Strong has

1 demonstrated his remorse by programming. By  
2 attending NA regularly, by going through  
3 vocational training, by going through the IMPACT  
4 program, anger management and a host of other  
5 self-help programs. Mr. Strong has committed --  
6 Mr. Strong committed his crime as a result of  
7 significant stress in his life due to drug  
8 addiction, cocaine, and the fact that Mr. Jones  
9 struck him. Causing him to be enraged, which  
10 caused the fight that ensued where his wife got  
11 in the middle of that and was summarily struck  
12 by the knife and killed.

13 **DEPUTY COMMISSIONER MOORE:** And that's a  
14 good pause point right there.

15 (Tape One was changed to Tape Two.)

16 **DEPUTY COMMISSIONER MOORE:** We're back on  
17 the record on tape two, it's 6:21.

18 **ATTORNEY LEWIS:** Mr. Strong's education,  
19 although he doesn't have a degree in college he  
20 does have a high school diploma that was awarded  
21 to him in 1972. He can read and write and in  
22 fact he held a job with the SPCA of Fresno for  
23 several years, indicating that he can and has  
24 more of a grade point average than what the  
25 record shows. Mr. Strong lacks any significant  
26 history of violent crime as a juvenile, although  
27 he had some run-ins with the law with respect to

1 domestic violence with his wife. At the time of  
2 the crime Mr. Strong was 33 years old and he is  
3 now age 52. At age 52 the probability of  
4 recidivism is vastly reduced. And in fact, the  
5 circumstances surrounding the crime it seems to  
6 me is one that probably would never occur again,  
7 not in this gentleman's life, with respect to  
8 how it went down. Mr. Strong's parole plans are  
9 solid and feasible. He is now married,  
10 remarried. He has a residence that is assured  
11 with his mother, Dorothy Potts, which she has  
12 submitted support letters indicating so.  
13 Mr. Strong has a job offer as a stocker at the  
14 Cigarette Outlet in Fresno, which is owned and  
15 operated by his uncle, John Cummings. There are  
16 letters in the file that show that Mr. Cummings  
17 is willing to hire my client, although he didn't  
18 sign them and place the date or his address on  
19 the letter. Mr. Strong has marketable skills  
20 enabling him to readily find employment. It is  
21 believed that he could go back to the SPCA and  
22 get his job as an animal control officer. And  
23 he also certifications in furniture upholstery,  
24 which as mentioned earlier, he has excellent job  
25 reports. Mr. Strong's institutional activities  
26 indicate an enhanced ability to function with  
27 the law upon his release. Through his

1 incarceration he has only received two 115s, the  
2 last one of which was in 1993. Mr. Strong has  
3 engaged in numerous self-help groups, IMPACT,  
4 anger management. The IMPACT group was 13  
5 weeks, tobacco awareness and a few others. His  
6 assessment of dangerousness by Dr. Sexton as  
7 low. Dr. Sexton opined that my client would be  
8 less likely to be violent and he has maxed out  
9 on all programs the CDC has to offer. That was  
10 indicated on the last page of his report. In  
11 conclusion, Mr. Strong has a network of support  
12 which includes his mother, his family, his wife,  
13 and including the victim's mom. The family  
14 support will not be there forever because people  
15 do drift away. Parole is more likely to be  
16 successful if there is a family network  
17 available. Mr. Strong has a job offer. This  
18 will not always be available. Mr. Strong has  
19 parole plans that are feasible. And Mr. Strong  
20 has demonstrated that he can succeed without  
21 resorting to violence. The murder of his wife  
22 was not an intentional act, it was a  
23 circumstance that happened and it was an  
24 accident. We respectfully request that  
25 Mr. Strong be given an opportunity to reenter  
26 into society to be a viable member of society so  
27 that he can continue on in his life and to maybe

1 share some of his experiences and some of his,  
2 you know. With regards to youth out there maybe  
3 he can maybe show someone out there that it's  
4 not, violence is not the way and maybe he can  
5 change a few outlooks. Maybe he can save his  
6 son. Maybe he can help some people out there.  
7 We submit.

8 **PRESIDING COMMISSIONER INGLEE:** All  
9 right, thank you very much. Give me a second,  
10 give me a second. Mr. Strong, this is now your  
11 opportunity to tell us why you're suitable for  
12 parole.

13 **INMATE STRONG:** Okay. Before I say that  
14 I would like to go back to Deputy Commissioner  
15 Moore. That you never went back and talked  
16 about that domestic violence package that I had  
17 in my C File.

18 **DEPUTY COMMISSIONER MOORE:** You are  
19 correct. And I know where it is, I will now do  
20 that. The only document that I could find and  
21 review since the last hearing, and I'm just  
22 going to double-check, was the three hour video  
23 review that was offered. Carl Reddick  
24 (phonetic) was the video instructor. Do you  
25 recall that?

26 **INMATE STRONG:** Yes ma'am.

27 **DEPUTY COMMISSIONER MOORE:** And that was



1 on July of 2005 and Charlie Walker signed off on  
2 your chrono on that. And it was about anger  
3 management and what drives your emotions.  
4 That's what I was looking at when I spoke with  
5 you. The only other chronos that have been put  
6 in your file since the date of the last hearing  
7 is the tobacco awareness, your laudatory chronos  
8 for all of your attendance at NA. But there is  
9 no -- Treatment and Management of Hepatitis and  
10 the Katrina contribution. So there was no other  
11 -- What I was looking at was that anger  
12 management.

13 **INMATE STRONG:** What I was referring to,  
14 I gave my counselor, Counselor Nuñez, a package  
15 on domestic violence that I had received from  
16 the streets and he told me he was going to  
17 insert it into my file. It was at least three  
18 or four pages of --

19 **ATTORNEY LEWIS:** (Inaudible).

20 **INMATE STRONG:** Yes.

21 **DEPUTY COMMISSIONER MOORE:** Okay, let me  
22 just double-check one more thing.

23 **INMATE STRONG:** And plus I had something  
24 from -- Right there, yes.

25 **DEPUTY COMMISSIONER MOORE:** Okay. This  
26 is, it's in the miscellaneous section of the C  
27 File. And it appears to be a handout, a

1 booklet. A domestic violence booklet from  
2 Oakland County. Did you get to review this or  
3 was it given directly?

4 **INMATE STRONG:** I got a chance to review  
5 it but I wanted him to insert it in my file and  
6 return it to me before I came to the Board. But  
7 somehow they changed counselors and he never --  
8 I put a request in to get it back but I never  
9 did.

10 **DEPUTY COMMISSIONER MOORE:** You want to  
11 get a copy of this. There are referrals in here  
12 for resources both nationally and statewide. A  
13 number of factors regarding the cycle of  
14 violence and how domestic violence in  
15 relationships occurs, not only with spouses and  
16 girlfriends but family members. And there's  
17 also from the Emergency College of -- American  
18 College of Emergency Physicians a multiple page  
19 document, four pages regarding how to observe  
20 and identify domestic violence. And also from  
21 the USDA Safety, Health and Employee Welfare  
22 Division, a domestic violence awareness handbook  
23 that appears to be in excess of ten pages. And  
24 the web site that you referred to is from the  
25 Mayo Clinic-dot-com that you asked a friend to  
26 access for you. And again, talks about  
27 recognition, having a safety plan for the

1 victims, knowing the signs and how in a  
2 relationship domestic violence is about power  
3 and control. And also gives a number of  
4 resources. Thank you for pursuing that with me.  
5 It's in your best interest that I did put that  
6 on the record. And if you could please try and  
7 get a copy of this back to you through your  
8 counselor.

9 **INMATE STRONG:** I will do that, thank  
10 you.

11 **DEPUTY COMMISSIONER MOORE:** Thank you.

12 **INMATE STRONG:** You're welcome.

13 **PRESIDING COMMISSIONER INGLEE:** Tell us  
14 why you are suitable for parole.

15 **INMATE STRONG:** Well, the reason I feel  
16 I'm suitable for parole is first of all I  
17 changed my way of thinking. Meaning by that, I  
18 know what, I know what got me here. I used to  
19 think it was drugs but it was something deeper  
20 than drugs. I had to look at myself and what  
21 really got me to thinking that I was up so high  
22 in life that I can use drugs and control drugs.  
23 Then I said well, maybe it's something else. I  
24 had lost respect for myself. I just had lost  
25 respect, you know. When a person use drugs they  
26 trying to escape something. And to me it was I  
27 thought I had it all so why not do drugs. I

1 know I hurt a lot of peoples. I know I hurt  
2 Diana my wife's family, my family and friends,  
3 my son, you know. I hurt a lot of peoples I  
4 don't even know about. And the only way I could  
5 change that was to change myself and know that  
6 if I use drugs any more in my life I'm subject  
7 to go back to where I was and I don't want to go  
8 back there no more. And I think I try to work  
9 these programs that the Department of  
10 Corrections offered me, to take advantage of  
11 them. At first I wasn't willing to take  
12 advantage of them, that's why I started taking  
13 advantage of them in '96. I was still going  
14 through head-trips. But once I realized that I  
15 put myself here and I could help myself if I  
16 would just follow the rules that the Department  
17 of Corrections had laid out for me. And that's  
18 when I started feeling good about myself and  
19 knowing that if I do this it's a chance that I  
20 would be returned back to society. I have  
21 grandchildren. I have peoples that I want to be  
22 with. I can apologize to everybody but the  
23 person that I really want to apologize to I can  
24 never apologize to. The only thing I can do is  
25 try to be a better person when I get out and  
26 hopefully let something come out of that. Other  
27 than that that's about it.

1           PRESIDING COMMISSIONER INGLEE: Okay,  
2 very good. We will now go into recess for  
3 deliberation. The time is now 6:33.

4           R E C E S S

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1 CALIFORNIA BOARD OF PAROLE HEARINGS

2 D E C I S I O N

3 DEPUTY COMMISSIONER MOORE: Back on the  
4 record, it's 7:30.

5 PRESIDING COMMISSIONER INGLEE: All  
6 parties that were here before have since  
7 returned. This is in the matter of Sylvester  
8 Strong, S-T-R-O-N-G, CDC number D-99287.  
9 Mr. Strong, the panel reviewed all information  
10 received from the public and relied on the  
11 following circumstances in concluding that the  
12 prisoner is suitable for parole.

13 INMATE STRONG: Thank you.

14 PRESIDING COMMISSIONER INGLEE: And would  
15 not pose an unreasonable risk of danger to  
16 society or a threat to public safety if released  
17 from prison. First off the prisoner has no  
18 juvenile record of assaulting others. Until his  
19 instant offense the inmate had a stable social  
20 history as exhibited by reasonable, stable  
21 relationships with others. While in prison he  
22 has enhanced his ability to function within the  
23 law upon release through participation in the  
24 following areas of educational programs, self-  
25 help, vocational programs and institutional job  
26 assignments. I will ask the Deputy Commissioner

27 SYLVESTER STRONG D-99287 DECISION PAGE 1 05/31/06

1 if she would detail each one of these four  
2 areas.

3           **DEPUTY COMMISSIONER MOORE:** Thank you.  
4 Mr. Strong, in reviewing your C File and  
5 discussing with you today the following is what  
6 I have determined to be present and proven  
7 within the file. In regards to educational  
8 programs you came into prison with a high school  
9 diploma. You have not sought further  
10 educational programs, per se, at an academic  
11 level. What you have sought is self-help. And  
12 it's evident in the past ten years that you have  
13 been very active in your programming.  
14 Specifically you have received and taken part in  
15 and enrolled in programs regarding parenting,  
16 anger management, employability. Since 1996  
17 there are consistent chronos for attendance in  
18 12 step programs, whether they are AA, NA or a  
19 generic 12 step recovery program, specifically  
20 at this facility, at this institution after you  
21 arrived here. There were a few before but  
22 predominately here at CTF Soledad. You have  
23 been involved in several employability programs.  
24 You also participated in the IMPACT program in  
25 2002, a 13 week program. That as you testified  
26 to earlier and this is evidenced in the C File,

1 talk about the impact on victims as you were  
2 seeking more information about domestic  
3 violence. Because of a lack of domestic  
4 violence programming here at CTF you did go  
5 further than other inmates in that you sought  
6 outside information regarding domestic violence  
7 awareness. How to deal with it. Alternative  
8 behaviors by seeking out information from  
9 Oakland County with the domestic violence  
10 handbook and other documents that you asked  
11 friends on the outside to provide to you and are  
12 found in the C File. You have also participated  
13 in community reentry programs on multiple  
14 occasions. As recent as 2006 but also prior to  
15 that in your work towards becoming suitable  
16 towards parole. You have been active throughout  
17 the past ten years, becoming very aware of the  
18 programming needs that you have needed to become  
19 suitable. The next area is that of vocational  
20 programs. You have worked in the PIA upholstery  
21 shop since June of 2001, receiving above average  
22 to exceptional work reviews. Your most recent  
23 one, as I indicated, was in February of '06 by  
24 supervisor Arroyo, A-R-R-O-Y-O, in which you  
25 were found to be an exceptional employee. You  
26 have also received laudatory chronos from Arroyo  
27 SYLVESTER STRONG D-99287 DECISION PAGE 3 05/31/06



1 in '02 about your work. You have received a  
2 number of other laudatory chronos regarding your  
3 contributions financial to the Katrina hurricane  
4 victims. And also on two occasions in 2000 and  
5 2001 in which another inmate, either in your  
6 cell or on your tier, was in a medical emergency  
7 and you took it upon yourself to notify staff of  
8 a man down and a need for medical attention. In  
9 one instance a cellmate, I believe, was  
10 transported for immediate care to the hospital  
11 for an appendix operation, appendectomy, and  
12 another you thought may have been having a  
13 stroke and received medical care. You have also  
14 participated in a parenting program. I don't  
15 know if I mentioned that earlier but I feel it's  
16 very important, considering what you've told us  
17 about your contact with your son up until the  
18 age of 11 and where he is now and understanding  
19 your impact. What you've done made what his  
20 reports look like when he talks about his  
21 childhood. Your vocational programs also  
22 indicate that you are trying to maintain your  
23 skills with upholstery by recently going through  
24 upholstery training seminars that were offered  
25 here at CTF. Prior to that you were involved in  
26 the masonry section. I think it was at another  
27 SYLVESTER STRONG D-99287 DECISION PAGE 4 05/31/06

1 institution, at Pleasant Valley.

2 **INMATE STRONG:** Yes ma'am, it was  
3 Pleasant Valley.

4 **DEPUTY COMMISSIONER MOORE:** And you  
5 completed five of the eight units towards  
6 completion. And due to transfer that was why  
7 you were unable to complete it. Your reports  
8 while there were, asking good questions, always  
9 wanting to do more, seeking more information.  
10 And the teacher and supervisor in that area  
11 thought that you could make that a marketable  
12 skill for yourself and you had indicated an  
13 intention as such. We've talked about  
14 vocational programs, institutional job  
15 assignments. You have always -- Not always. I  
16 want to note a change, '93 to '95 was a  
17 transitional time for you in prison. You were  
18 receiving some negative reports of attitude  
19 towards supervisors and staff in your work as a  
20 sewing machine operator, I believe at one time.  
21 And in '93 -- Just as we go to '95 and you  
22 started attending 12 step program and you  
23 started to actively programming all of those  
24 ratings changed. They became average to above  
25 average. You started participating rather than  
26 being a victim is the observation that I made.

27 **SYLVESTER STRONG D-99287 DECISION PAGE 5 05/31/06**

1 Prior to that change you were a sewing machine  
2 operator and receiving average and some fours  
3 and fives on occasion. Doing the job and  
4 showing up. Things changed in '95 and '96 in  
5 your institutional job assignments, your  
6 attitude and your work productivity. You became  
7 a good employee. And those would be the areas  
8 that I have been able to review and take from  
9 your program, from your C File regarding your  
10 programming.

11 **PRESIDING COMMISSIONER INGLEE:** Until  
12 your domestic problems with your deceased wife  
13 began in 1987 you did not have any history of  
14 violent crime. Because of maturation, growth,  
15 greater understanding and advancing age this has  
16 all gone to reduce your probability of  
17 recidivism in the future. You have excellent  
18 parole plans, which include a family job offer  
19 and family support in general. This also  
20 includes living with your mother once paroled.  
21 You have maintained close family ties while in  
22 prison through both letters and visits and other  
23 forms of communication such as telephone. You  
24 have maintained positive institutional behavior  
25 which indicates a significant improvement in  
26 self-control, with your last 115 being received

1 in 1993. You have shown sincere signs of  
2 remorse. You have indicated that you understand  
3 the nature and magnitude of the offense that you  
4 committed. You have accepted full  
5 responsibility for your criminal behavior. And  
6 you have expressed a desire to change towards  
7 good citizenship through both your discussion  
8 today and also how you have demonstrated this  
9 work through your self-help programming over the  
10 last 10 to 15 years. Now I want to talk about  
11 your base term of confinement. The base offense  
12 of which the prisoner was convicted, what you  
13 were convicted for, is murder second degree,  
14 which is Penal Code 187. This offense occurred  
15 on 12/10/1987. The term is derived from the  
16 matrix located in CCR Title 15 at 2402(c)  
17 second-degree murder, offense committed on or  
18 after 11/8/1978. In this regard the panel finds  
19 that category C-III is appropriate in that C  
20 indicates that the death of the victim resulted  
21 from sincere, excuse me, severe trauma inflicted  
22 with deadly intensity. In regard to III.  
23 Excuse me, I believe I said C-III and I meant  
24 C-II so that will have to be a correction. This  
25 is C-II. C being correct, that being severe  
26 trauma. II, is actually prior relationship. In  
27 SYLVESTER STRONG D-99287 DECISION PAGE 7 05/31/06

1 that you had a strong prior relationship with  
2 the deceased and you were involved in a personal  
3 relationship with the prisoner (sic). In this  
4 case a family member or your former wife.

5 **DEPUTY COMMISSIONER MOORE:** And if I may,  
6 Commissioner. You said 2402 rather than 3.

7 **PRESIDING COMMISSIONER INGLEE:** We should  
8 put it on, why don't you put it on --

9 (Off the record.)

10 **DEPUTY COMMISSIONER MOORE:** We're back on  
11 the record.

12 **PRESIDING COMMISSIONER INGLEE:** It has  
13 been brought to my attention that I may have  
14 made a couple of errors in what I had been  
15 previously discussing in regard to the base term  
16 of confinement and I basically want to go back  
17 through that again to be sure that we have  
18 stated it correctly. The base life offense of  
19 which the prisoner has been convicted is murder,  
20 second degree. That is Penal Code 187. The  
21 offense occurred on 12/10 of 1987. The term is  
22 derived from the matrix located at CCR Title 15  
23 at, this is where the correction will be made,  
24 2403(c), second-degree murder, offense committed  
25 on or after 11/8/1978. The panel finds that  
26 category C-II is appropriate in that C-III,

27 **SYLVESTER STRONG D-99287 DECISION PAGE 8 05/31/06**

1 excuse me, C is that the death resulted from  
2 severe trauma inflicted with deadly intensity.  
3 The inmate was acquainted with the victim and  
4 that qualifies under prior relationship in that  
5 the victim was involved in a personal  
6 relationship with the prisoner. In this case,  
7 his former wife. Which contributed to the  
8 motivation for the act resulting in death. The  
9 panel assessed 228 months for the base offense  
10 and notes that this is the middle term in the  
11 matrix. In this regard C-II. The panel also  
12 found that the prisoner personally used a deadly  
13 weapon, in this case a knife, in the commission  
14 of the crime under Penal Code Section 12022(b)  
15 and accordingly assessed the following one-half  
16 of 12 months, which is 6 months. The total term  
17 is calculated at 228 months for the base term, 6  
18 months for the weapon, for the total term of 234  
19 months. The time credit from 11/2/1988 to  
20 5/31/2006 is 68 months for a total period of  
21 confinement being at 166 months. Special  
22 conditions of parole. The following special  
23 conditions of parole are hereby imposed. You  
24 will not use alcoholic beverages. You will  
25 submit to alcohol testing whenever required.  
26 You will submit to anti-narcotic testing

1 whenever required. You will submit to THC  
2 testing, this is for marijuana, whenever  
3 required. You will participate in a substance  
4 abuse program such as AA or NA as directed by  
5 your parole officer. You will attend parole  
6 outpatient clinics as directed by your parole  
7 officer. You will have no contact with the  
8 victim's family without the parole officer's  
9 approval.

10 (Off the record.)

11 **DEPUTY COMMISSIONER MOORE:** We are back  
12 on the record at 12 until 8.

13 **PRESIDING COMMISSIONER INGLEE:**  
14 Mr. Strong, this is your first step. You know  
15 that this still has to be approved. You're  
16 reviewed by and eventually approved by the  
17 - Governor. Let me suggest to you, you can handle  
18 this the way you like. But my limited  
19 background in this area has taught me over time  
20 to warn prisoners about going off and becoming  
21 too vocal about the fact that they just got a  
22 parole. I have heard, I can't tell you that I  
23 actually experienced it or known somebody  
24 specifically but I have heard that at times  
25 sometimes prisoners who don't possibly will not  
26 have a friend who might do something to

27 **SYLVESTER STRONG D-99287 DECISION PAGE 10 05/31/06**

1 aggravate them and possibly cause them to be in  
2 some type of altercation. I would just avoid  
3 this. This is a personal observation and not an  
4 order, okay.

5 **INMATE STRONG:** Yes sir.

6 **PRESIDING COMMISSIONER INGLEE:** Again,  
7 lots of luck. You deserve, you deserve the  
8 opportunity for parole and we certainly hope  
9 that you get it.

10 **INMATE STRONG:** Okay. I'd like to thank  
11 both the panel members.

12 **DEPUTY COMMISSIONER MOORE:** May I offer  
13 some comments, Commissioner?

14 **PRESIDING COMMISSIONER INGLEE:**  
15 Certainly, (inaudible).

16 **DEPUTY COMMISSIONER MOORE:** Mr. Strong.

17 **INMATE STRONG:** Yes ma'am.

18 **DEPUTY COMMISSIONER MOORE:** The process  
19 of review is still in existence, as Commissioner  
20 Inglee has said. This isn't a done deal. Be  
21 patient. You have to go to work tomorrow don't  
22 you?

23 **INMATE STRONG:** Yes ma'am.

24 **DEPUTY COMMISSIONER MOORE:** And you have  
25 a lot to do. And any type of occurrence of a  
26 115 or a 128 between now and when that date

27 **SYLVESTER STRONG D-99287 DECISION PAGE 11 05/31/06**



1 comes could affect all of this completely and  
2 totally. I want to talk to you about NA. The  
3 first place you go if released is where?

4 INMATE STRONG: To NA.

5 DEPUTY COMMISSIONER MOORE: Now that was  
6 a trick question. The first place you go is  
7 your parole.

8 INMATE STRONG: Oh, yeah, yeah.

9 DEPUTY COMMISSIONER MOORE: You report to  
10 parole.

11 INMATE STRONG: Yeah, yeah.

12 DEPUTY COMMISSIONER MOORE: The second  
13 place you're probably going to go is see your  
14 mom.

15 INMATE STRONG: Yes.

16 DEPUTY COMMISSIONER MOORE: The third  
17 place you're going to go is to an NA meeting.

18 ATTORNEY LEWIS: He's married.

19 DEPUTY COMMISSIONER MOORE: The third  
20 place he's going to go is to an NA meeting.  
21 Before he continues his relationship on the  
22 outside.

23 INMATE STRONG: I agree with you.

24 DEPUTY COMMISSIONER MOORE: Good answer.  
25 Within the first 10 to 14 days, in which you  
26 will probably have attended 10 to 14 NA

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1 meetings, you are to get a sponsor. Your parole  
2 agent will be all over you on that.

3 **INMATE STRONG:** Yes ma'am.

4 **DEPUTY COMMISSIONER MOORE:** It has to be  
5 a man who is working the steps, who is clean and  
6 sober, who has a job. You might want to look  
7 for one that's married. Because wives, spouses,  
8 family members can make you crazy when you're an  
9 addict. And you have to live life one day at a  
10 time with them. Find a man who has done that as  
11 you work the steps with that man. I wish you  
12 the best of luck. There's a lot of challenges  
13 in front of you. The world has changed somewhat  
14 since your incarceration. And I wish you good  
15 luck.

16 **INMATE STRONG:** Thank you very much.

17 **PRESIDING COMMISSIONER INGLEE:** We do  
18 have one more thing to do that I omitted. And  
19 that is in regard to the last psychological  
20 report and I want to make an update to that.  
21 The last psychological report was done by S.  
22 Sexton, Ph.D. That date is 10/11/2004. In this  
23 regard Dr. Sexton states that inmate Strong's  
24 diagnosis has changed somewhat from previous  
25 reports. Although it was reported that the  
26 inmate engaged in adult antisocial behavior

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1 there is no indication of that at this time.  
2 For that reason this diagnosis has been removed.  
3 In the past the inmate has been given a  
4 diagnosis of cocaine abuse in institutional  
5 remission. Unfortunately most institutions have  
6 drugs readily available for inmates who wish to  
7 abuse them. It is clear that this inmate has  
8 chosen not to abuse cocaine. Not because he  
9 does not have the availability but he no longer  
10 wishes to abuse it. This is also true of  
11 cannabis abuse. As a result both of these  
12 diagnoses will be dropped. In the assessment of  
13 dangerousness, all the above factors have been  
14 taken into account. It is significant that the  
15 inmate is currently 50 years of age and has  
16 remained CDC 115-free for approximately 11  
17 years. This combined with the nearly 35 self-  
18 help programs that he has attended while  
19 incarcerated and his limited yet significant  
20 arrest history it is clear that the inmate's  
21 aggressive behavior is changing for the better.  
22 As a result, when the inmate's violence  
23 potential is compared to those of inmates with  
24 whom he resides it is considered to be below  
25 average. Inmate Strong has no assaultive  
26 history with the Department of Corrections. It

1 is somewhat difficult to predict the probability  
2 of aggressive behavior in the community. As  
3 people mature and change, behavior that they  
4 once found acceptable becomes unacceptable.  
5 What can be said is that as compared to the  
6 average parolee in the community this inmate is  
7 much less likely to be violent while on parole,  
8 due in part to his age, greater maturity and  
9 substance-free intellect. He appears to have no  
10 more violence potential than the average male in  
11 the general population of equal age. There are  
12 no current precursors that would predict an  
13 increase in violence potential in the community.  
14 Substance abuse would clearly indicate that  
15 potential but it does not appear that substance  
16 abuse is currently a problem with this inmate.  
17 Nor is it anticipated that it will be an issue  
18 for him when he is placed on parole. As inmate  
19 Strong has participated in numerous self-help  
20 programs no current recommendation can be given  
21 in this area. He has participated in most other  
22 programs available in the CDC and he appears to  
23 have reached maximum benefit. If given the  
24 opportunity to parole his prognosis is very  
25 good. Signed S. Sexton, Ph.D., consulting  
26 psychiatrist, Correctional Training Facility,  
27 SYLVESTER STRONG D-99287 DECISION PAGE 15 05/31/06

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1 Soledad. Mr. Strong, good luck.

2 INMATE STRONG: Thank you sir.

3 PRESIDING COMMISSIONER INGLEE:

4 Certainly.

5 INMATE STRONG: Thank you, Ms. Moore.

6 DEPUTY COMMISSIONER MOORE: Good luck to  
7 you sir.

8 ---oOo---

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23 PAROLE GRANTED

24 THIS DECISION WILL BE FINAL ON: SEPT 28, 2006

25 YOU WILL BE PROMPTLY NOTIFIED, IF PRIOR TO THAT  
26 DATE, THE DECISION IS MODIFIED.

27 SYLVESTER STRONG D-99287 DECISION PAGE 16 05/31/06


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CERTIFICATE AND  
DECLARATION OF TRANSCRIBER

I, RAMONA COTA, a duly designated transcriber, PETERS SHORTHAND REPORTING, do hereby declare and certify under penalty of perjury that I have transcribed tape(s) which total two in number and cover a total of pages numbered 1 - 114, and which recording was duly recorded at CORRECTIONAL TRAINING FACILITY, SOLEDAD, CALIFORNIA, in the matter of the SUBSEQUENT PAROLE CONSIDERATION HEARING OF SYLVESTER STRONG, CDC NO. D-99287, on MAY 31, 2006, and that the foregoing pages constitute a true, complete, and accurate transcription of the aforementioned tape to the best of my ability.

I hereby certify that I am a disinterested party in the above-mentioned matter and have no interest in the outcome of the hearing.

Dated June 8, 2006, at Sacramento County, California.

  
\_\_\_\_\_  
Ramona Cota  
Transcriber  
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